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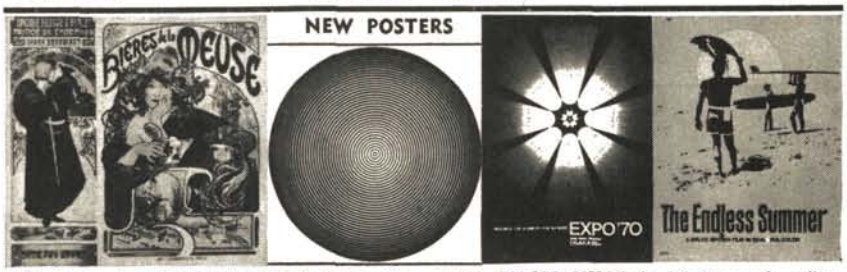

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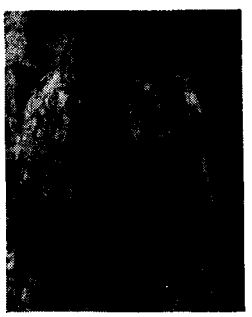

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T.R.B.

from Washington

Surprises

★ Eskimos and dog sleds are looking for four lost hydrogen bombs off Greenland, each with explosive power of a million tons of TNT. . . . Heavy enemy guns are hitting US Marines at beleaguered Khe Sanh where the command has rushed up reinforcements and four crates containing 4,000 pounds of "body bags": rubberized, zippered sacks for transporting the dead. . . . The nation is reacting feverishly to the capture of the US spy ship *Pueblo* by North Korea, the call-up of over 14,000 Reservists sends a chill down many spines. . . . Valuable men continue leaving the President; HEW Secretary John Gardner quits March 1. . . . In the Senate, civil rights legislation is held up by a filibuster, in the House tax legislation is held up by the Ways and Means Committee, and the President notes a "certain restlessness" in the nation.

One can, of course, turn to other matters like the election, but it takes grim resolution. This is the dullest period of the dreary quadrennial cycle.

Bright, high-paid columnists try to feel the pulse of yokels in New Hampshire or find something new to say about lively, sprightly Richard Nixon. However, it has its comic aspects. Two months ago a Harris survey said that all four of the leading GOP contenders could beat LBJ; now suddenly they find him the favorite! Are American voters really as fickle as that, or are the polls just registering the boredom of the public at this stage of the proceedings?

Coasting around on dog sleds in deep-freeze New Hampshire right now the big city political analysts don't realize that the enigmatic natives may be having their wry fun. Those ornery Yankees apply their pawky humor to poll-takers. Wait till the political observers get way out on a limb and then Pa will quietly say "Yup" to Ma and go out and cut them off with a chain saw. Anyway, that's what happened in 1964: the polls said Goldwater would beat Rockefeller, and humor-loving voters wrote in Henry Cabot Lodge who wasn't even on the ballot.

We listened to the congressional Republicans' "State of the Union" reply to Mr. Johnson last week and finally we decided it was a plot to make us vote Democratic. They were all hawks with the possible exception of Percy (who talked about housing). It was probably a preview of the dreary GOP campaign oratory. To a background Gregorian chant of "cut spending, cut spending, cut spending," the members (all picked, apparently, for their peaches-and-cream complexions) blamed Mr. Johnson for everything that has gone wrong in the world in the past 10 years – except Vietnam, on which Senator Tower of Texas made the President look like a dove. "Quarantine the enemy's supply lines!" he demanded; the war "would be over today" save for the Administration's softness. The hard line approach really represents the party's conservative mood in Congress, we think, though it is too much for liberals like Senator Cooper (Ky.) who protested. There are really two GOP parties: congressional and national. The governors represent the national, modern wing. But they didn't broadcast.

General Eisenhower blessed the whole affair. We really couldn't figure out what he said and, oddly enough, even after reading the text the significance of his utterance eludes us. Surely there is something more to it than that he favors "our two-party method of government"? Or was it just a general papal sanctification?

Better Off?

★ Answer "yes" or "no" to these questions:

– A Negro parent is attacked because his child attends a desegregated school. Can the United States federal courts punish the assailant?

– A Negro is beaten up after seeking service in a previously all-white restaurant. Can the federal government intervene?

– A crowd forces a group of Negro children from a public park. Federal jurisdiction?

The answer to all these questions is "perhaps," "maybe" or a downright "no." The existing criminal laws don't accurately define the government's authority. They generally don't apply to private persons unless acting in concert with officials (*i.e.* a "conspiracy"). Even if the laws *are* applied, the maximum penalties are preposterous where a death may result.

To remedy this is one of the purposes of the civil rights bill which Mr. Johnson sent to Congress last week. A lot of our readers can't bear to hear anything favorable about the President. We thought he sent up a good message. We don't know how much of it will be passed, or how hard he will work for it. There is a good deal of self-congratulation in it about how much better off nonwhites are now than a few years back. But there is also the following official evidence which might be handy to remember in the prospective riots this summer:

One out of three nonwhite families now lives below the poverty level. Infant mortality of nonwhite children is about double that of whites (three times for children 28 days to one year old). The nonwhite unemployment rate is twice that of whites. In some cities "residential segregation is increasing." And "despite the progress that many Negroes have achieved, living conditions in some of the most depressed slum areas have actually worsened in the past decade." That's official, in the President's message.

Last year Mr. Johnson appointed an advisory committee which is going to bring in a report on racial conditions in March. We hope, and have every reason to believe, that it will be a landmark story.

Both James Tobin (Yale) and James Vadakin (University of Florida) mentioned TRB in their debate on family allowances some weeks back. For the life of us we can't see what the argument is. We favor Tobin's negative income tax; we favor Vadakin's family (children's) allowance (till the country will take something bigger). We can't see that they are in conflict at all.

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THE NEW REPUBLIC *A Journal of Opinion Volume 158 Number 5 Issue 2774 February 3, 1968 Published weekly (except the last week in July, the second and fourth weeks in August and the last week in December) and distributed by* The New Republic, *1244 19th St., N.W., Washington, D.C. 20036. Phone FEderal 8-2494. Single copy 40c. Yearly subscription $10; Foreign $11; Armed Forces personnel or students, $6. Send all remittances and correspondence about subscriptions, undelivered copies, and changes of addresses to Subscription Department,* The New Republic, *381 West Center Street, Marion, Ohio 43302.* *Copyright© 1968 by Harrison-Blaine of New Jersey, Inc.* *Item g. Second Class Postage Paid at Washington, D.C. Indexed in* Readers' Guide.

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Tick, Tock

The lesson from the ignominious capture of the US Navy's spy ship *Pueblo* by the North Koreans is that Washington and Moscow better get together, before their sophisticated weapons or unsophisticated satellites land them in a third world war. The way things are going, events may soon be in the saddle, riding them, instead of the "superpowers" being in control. The sequence is one of fateful ironies. Within hours of sending Soviet Premier Kosygin a secret message, presumably peaceful, Mr. Johnson had to dash off a new message, requesting Soviet intercession with North Korea to have the *Pueblo* and its crew released. Moscow refused. What else could have been expected? For to Hanoi's statement that it "will" hold talks with this country if our bombing of North Vietnam and other acts of war are halted, Mr. Johnson had responded by woodenly reiterating – some observers thought he actually stiffened – American terms for talks that Hanoi had rejected before and promptly did again. Mr. Johnson's subsequent appeal to Kosygin over the *Pueblo* put Moscow on the spot with both North Vietnam and North Korea. The *Pueblo* incident happened the same week that four hydrogen bombs landed in a Greenland bay in a crashed US bomber that had been flying an alert. That added Copenhagen to the lengthening list of world capitals in which there are demonstrations against US policy.

To cap the irony, America and Russia had just agreed, at long last, on the draft of a treaty to prevent the further spread of atomic weapons. Persuading countries without atom bombs to forego them is a matter of urgency. It's later than most of us thought. India could have its bomb in eight months, West Germany, Israel, Japan, Sweden, Switzerland and Canada could have theirs in two years, about 24 other nations including Egypt and Pakistan have nuclear reactors. The accidental hydrogen-bomb drop off the coast of Greenland hints at the kind of world it will be if everybody's nuclear-armed bombers are in the act. Yet both the West Germans and the Indians are reluctant to sign the non-proliferation treaty, France and China say they won't touch it, still others may refuse (it needs at least 43 signatures to come into force). Those who reject the pledge not to build, buy or borrow nuclear weapons might change their minds if this country and Russia showed them a good example, by cutting back sharply on missiles and eliminating most of their bombers. Both superpowers could afford to risk this, especially if as now seems certain they go ahead with building simple anti-missile defenses to ward off an attack

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on either of them by China. What prevents the US and Russia giving the world that sorely needed lead is deepening distrust, to which Vietnam is at present the biggest contributor. The Russians want the Vietnam war to end – why else should they go out of their way to declare that Peking is outdoing even Washington in keeping the fighting going and hindering negotiations? But when the Russians choose to criticize China on this score, it becomes all the more necessary for them not to seem to be letting down their little allies, North Vietnam and North Korea. That is where the *Pueblo* enters the larger equation as a significant, and as it may yet turn out a fatal factor.

Was it piracy on the high seas? Or was the Navy ship in North Korean waters? We do not know. What is certain is that the *Pueblo* had been snooping along the North Korean coast for a couple of weeks. American ships, it should be recalled, entered North Vietnamese waters before the incidents in Tonkin Gulf in 1964. American war planes have flown over China. A Russian ship was hit in Haiphong harbor by our bombers. On January 18, American troops went into Cambodia. All these have been "inadvertent," "unintended." Who any longer believes the official excuses? Whether the *Pueblo* was just outside or had ventured inside North Korean territorial waters, the ship was performing essentially the same functions as the U-2 spy plane that Gary Powers in 1960 flew over Russia, and that the Russians claimed they shot down. The Navy ship was packed with electronic spying devices, with which it was collecting information about Russian radar, and probably also about Russian submarines, information that would be worth its weight in plutonium to the Pentagon if there were a war with Russia. The radar the North Koreans have is Soviet equipment; and the Sea of Japan is so thick with US and Russian ships that in the past two years, there have been two acknowledged collisions between them. In one of those the American vessel involved was the *Pueblo's* sister ship. Probably there have been other incidents between American and Russian ships that have been kept from the public of both countries.

Soviet ships, it goes without saying, do every bit as much snooping as American ones. In the Mediterranean, the Russians hang on the flanks of the Sixth Fleet. (It was an American spy ship not a Soviet one that was attacked during the Middle East war last year, by an Israeli plane; but this only shows how confused and explosive the whole spy-at-sea business has become.)

As good communists, the North Koreans support their comrades, the North Vietnamese, but hitherto their support has been entirely vocal, and they have been put to shame by the fact that 40,000 South Koreans are fighting on the side of Saigon and the United States. If the North Koreans hoped by their outrageous capture of the *Pueblo* to create a diversion from Vietnam, they achieved an immediate success. The aircraft carrier *Enterprise*, the world's largest warship with 100 jets aboard, was diverted from Vietnam to the Sea of Japan. What it will do there, only God and possibly President Johnson knew at the time we went to press.

The North Koreans had said they would not deliver up the *Pueblo*. In 1963 they held two American prisoners, Army helicopter pilots, for a year. The North has stepped up its infiltration and guerrilla forays, culminating in the plot to assassinate the South Korean president, that was uncovered when some of the confessed assassins were captured in the South Korean capital on January 21. Their raid was the first such incident in Seoul since the Korean war was halted in 1953. The US Eighth Army Command (there are still two US divisions in South Korea, 50,000 men) was quick off the mark last week in getting ready for a possible resumption of the Korean war. According to *The New York Times*, the command was all set for daily war news briefings in Seoul, like the ones that have been held in Saigon.

One could plausibly conclude that the North Koreans and North Vietnamese are working in concert and to a prearranged plan. The Korean acts do coincide with a North Vietnamese military push that may be aimed at trying to capture South Vietnam's two northernmost provinces. North Vietnam's defense minister, General Vo Nguyen Giap, who planned and executed the victory at Dienbienphu against the French in 1954, is said to be masterminding the operation. There has also been increased military activity in Laos, and the North Vietnamese division that is the chief threat to the Marines at Khe Sang is reported to have its base camps in Laos. Yet the chances are that the North Koreans and the North Vietnamese are playing separate hands, and in a sense this makes the overall situation more dangerous. Those in charge in Moscow seem to want an end of the war in Vietnam (but not a North Vietnamese defeat), and General Giap may be mounting a big military offensive precisely in order to be in a better bargaining position at the negotiating table. We cannot assume, however, that the Kremlin is expertly manipulating its puppets, any more than it can be confidently asserted that this country has total control over all the actions of South Vietnam's President Thieu and Vice President Ky.

Last week's incidents, with the *Pueblo* in the forefront, underline the need for this country and Russia to get together on how the war in Vietnam can be ended (and how to defuse time bombs in the Middle East) before their allies and their weapons combine to blow them up – and the rest of the world with them.

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Kennedy's Quandary

In the last analysis, Senator Robert Kennedy said a few weeks ago, his responsibility is to be effective. That leaves open the question of whether he should seek the Democratic presidential nomination this year.

Many "Kennedy men" who share the senator's distress over Vietnam, poverty and racial tensions have told him he can't make it in '68, which may be true. The odds are against any challenger who takes on a powerful, shrewd President who presents himself as our protector against "criminal elements" and communism. Within the party establishment, of course, all things are measured in terms of the effect of an intra-party battle on each individual involved: be he a "dove" senator seeking reelection; a machine boss anxious to avoid having to choose and caring less about issues than having access to a sure source of power; a congressman hoping to keep things under control in his own district. These are the practitioners who predict that McCarthy can't carry a county, that Kennedy, though he would do better, wouldn't do well enough and that his own New York delegation would be split 50-50. These men remind the senator, too, that Lyndon Johnson has built himself a powerful coalition in the military-industrial-labor complex, that a war President has tremendous assets, that Secretary of Defense Clark Clifford – a "pro" – will doubtless do what he can to mold this complex into an even more important source of political power, particularly as it relates to financing Johnson's campaign. The President served notice in his State of the Union address that he is going to go after the vote of what Richard Scammon calls "Mr. Average Joe," the working man who is scared by the civil rights movement, moderately affluent and in his mid-forties. This, Scammon claims, is the "swing vote" that will decide the election. The one thing in "Mr. Average Joe's" mind – Vietnam notwithstanding – is crime in the streets, and Mr. Johnson means to make the fight against crime a major emotional issue.

Early response to Senator McCarthy's bid can be read by the Kennedy camp in two ways – as a stop signal or a green light. McCarthy's campaign in the weeks ahead, particularly in New Hampshire, may confound the skeptics. We must wait and see. So far, McCarthy has shown that he is better at raising issues than raising a storm. Perhaps no other challenger could do enough better. But another interpretation is that rank-and-file Democrats and independents in very large numbers are still waiting to be rallied – and can only be by Kennedy. It can be plausibly argued also, that whatever the outcome in Chicago this August a Kennedy challenge would not diminish his future prospects; indeed, might enhance them. Senator McCarthy has made his decision; Kennedy is still weighing pros and cons. But in this incalculable year of dangers, conventional calculations may be misleading. All the conventional reasons for sticking with LBJ are at war with Kennedy's get-up-and-go temperament, but more important, with his forebodings about the future. Like McCarthy, Kennedy sees the peril (and the appeal, of which the candidacy of George Wallace is a symptom) of relying on force as our principal response to crime, communism, and perhaps even dissent. National leadership that offers something more positive, more hopeful is desperately needed. When Kennedy traveled through Africa a year and a half ago and was peppered with hostile questions, he could answer that although America had serious problems, we were hard at work on them, we were making progress, we were not relying on rhetoric or police action to remedy them. That reply is no longer credible. The imponderable in politics today is the true state of the union, its vulnerability to strains at home and abroad. A potentially great society is lacerated by self-doubt; and that doubt about our capacity to manage our affairs wisely has spread around the world. That is the terrible truth which Senator McCarthy perceives and against which Senator Kennedy must set advice to bide his time.

Hamlet

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Fighting Crime

At 5:00 a.m. on January 17 nearly 200 Suffolk County, New York, policemen swept through five dormitories at the State University at Stony Brook, netting 38 persons (most of them students) and a quantity of illegal drugs (mostly marijuana). Governor Rockefeller's office had been notified in advance of the raid and gave it his blessing. A 107-page battle plan, "Operation Stony Brook," laid out the logistics (42 pages of maps of the premises to be entered, detailed evidence against students for whom the police had arrest warrants). The booklet was distributed, in advance, to reporters and photographers whom the police commissioner, John L. Barry, had invited along. (Later when others tried to obtain a copy they were informed it was confidential.) The search and arrest warrants and indictments had been quietly handed down some days earlier by a grand jury. Only the university administration – whom the police considered friendly to the enemy – was not warned of the raid.

Operation Stony Brook was like scores of other pot busts staged on college campuses. It differed primarily in scale (72 police cars), in its meticulous preparation (four months of undercover investigation by three hippie narcotic squad men), in the rapport between the press and police, and in the lack of communication between the university administrators and the trespassing policemen. Whereas the state agricultural college at Farmingdale informs the police whenever a student is suspected of drug abuse and disciplines him even if the police can't get enough evidence to prosecute, Stony Brook has been more reserved. A year ago its president, John S. Toll, objected to the Suffolk County police enrolling for classes and posing as students. He asked the police commissioner John Barry to stage no raids on the campus. In return Toll agreed to police his own campus and to notify the cops if he came across any drug abuse. Barry says that Toll reneged and had been lax in ferreting out drug users. So he made the arrests and now the 38 are out on bail, awaiting trial. (Conviction for possession in New York carries a mandatory five-year sentence.)

The Long Island newspaper, *Newsday*, which had the most extensive coverage, (though *The New York Times*, *The Long Island Press* and *The Suffolk Sun* were there too) prides itself on the rapport it has with law enforcement officers. Its editor, William McIlwain, attributes the good relations in part to contacts made over the years by Suffolk police reporter Tom Renner, who wrote one of the three stories *Newsday* ran the morning of the raid.

Dave George, spokesman for the paper, says: "We cover police stories as they break and we expect them [the police] to let us know when anything is happening." In return *Newsday* reporters have done favors for the police. In at least two recent instances, a *Newsday* reporter has been asked to turn over notes and photos to the Suffolk police. Once a reporter was accosted by a man in plainclothes who identified himself as a police officer posing as a reporter and would the reporter please turn over the names and addresses of people he interviewed to the police.

Newsday's Dave George and William McIlwain both deny that such cooperation exists or that it is the policy of the newspaper. Bill Moyers, publisher of *Newsday* and former press secretary to President Johnson, refuses to discuss the Stony Brook raid specifically, but says that he thinks "the indiscriminate coverage of narcotics problems and particularly raids such as this and the collaboration of newspapers in those raids raises serious ethical questions for the profession of journalism and it's time we took a look at whether we're going to deal with new and current problems in the way we did back in the twenties and thirties in the heyday of police journalism."

Deferential Regulators

The Federal Communications Commission, long ago resigned to serving as handmaiden to the corporate giants of the communications industry, recently suffered a bitter lesson. On the first of the year, the International Telephone and Telegraph Company walked out on its massive merger with the American Broadcasting Company, which the commission had endeavored earnestly to shield from Justice Department attack. Then, on January 12, the American Telephone and Telegraph Corporation left its friends at the FCC perched on an even more slender limb.

For months pressure had mounted for a single emergency telephone number which would reach the local police anywhere in the nation. Already functioning in most Western countries, such a system would yield a small but worthwhile increase in urban security. The President's Commission on Law Enforcement and the Administration of Justice had recommended it. The President himself was for it. So was the House Committee on Interstate and Foreign Commerce.

In heroic and solitary defiance, the FCC opposed the single-number notion, which would impose on the Bell System an obligation to spend money on a relatively unprofitable venture. (Bell estimates that the system would cost the company $50 million of its $33-billion in assets.) The House committee requested FCC comment on the proposal. The commission responded with silence, until finally the Budget Bureau warned the agency to mind its manners with a committee whose chairman, Harley Staggers, has been manifesting severe irritation with the FCC's coddling of

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major broadcast interests. Forced on the record, the FCC stayed loyal to Bell. Its November 8 memorandum to the committee made no effort to conceal distaste for the proposal; it was expensive, impractical, unnecessary (since one can always call the operator). Moreover, the commission added, ATT officials had given assurance that "they will pursue this matter and will work with the commission toward the objective of further improving the nationwide telephone system in this respect."

Then, little more than two months later, ATT reversed its line. With no advance warning the company on January 12 announced that it would institute the single number emergency system as quickly as possible, and indeed that a particular set of digits – 911 – had already been selected. Ungracious in the extreme, Bell informed the FCC barely in time to permit the agency's Public Information Office to get out a release on its own change of position early enough for the afternoon papers.

Lesser men might have been piqued by such execrable treatment. But the commissioners never lost sight of their felt obligation to promote Bell's interests and even its image. The commission's statement "welcomed and commended" this "immeasurable benefit" from the beneficent telephone monopoly. (The statement also sought – successfully one regrets to say – to convince the press that the FCC had backed the innovation from the start.)

With "regulators" like that, who needs lawyers?

"THE WILL TO SOLDIER ON HAD GONE"

Britain First

London

So in the end Britain ignored the pressure from Washington, ignored the last-minute dash by Singapore's Prime Minister, Lee Kwan Yew – "our good friend Harry Lee" as he used to be called at Labour rallies – and decided to liquidate Britain's world role from the end of 1971. Economy was more the occasion than the cause. For a start, cancellation charges in the coming year on the F-111's will put the defense budget up not down. Real savings will begin to show in 1969-70, but only to the tune of around $250 million. Thereafter the saving will be greater, but by then the benefits of devaluation will have already either been won or irretrievably lost.

The decisive factor then was political. The contribution these defense cuts will make to Britain's economic problem in the next three years, which is when it matters, is not substantial. Certainly the "presence" in the Persian Gulf, 6,000 men at Bahrein and Sharjah, at a cost over the exchanges of only $30 million a year is a burden the government could have sustained well into the seventies had it wanted to. Similarly the government could have given Lee Kwan Yew a concession of more than nine months on the Singapore withdrawal without undue strain, had it wanted to. But the will to soldier on had gone, and not just in Labour ranks.

The Conservatives are now predictably changing tack, keen to make what capital they can of the cuts with which many of them secretly agree. In a delicious *volte-face*, even Enoch Powell, their Defense spokesman who more than anyone else has worked to get the Tories off the East-of-Suez hook, is now full of righteous indignation that promises have been broken, as indeed they have. And the Conservative front-bench solemnly declares it will keep the Prime Minister's word for him, and restore the presence East of Suez, if – and this is the giveaway proviso – there seems to be any need. When the time comes there won't so seem.

Most political opinion in Britain feels the need has been ebbing away for the past three years or more. Labour has found "limited force for limited purposes" both difficult and distasteful to administer. The Defense Secretary, Denis Healey, has been the one solid champion of the global forces in the Cabinet, and has made constant and valid reference to the role British troops played in keeping Malays and Indonesians apart. But for most of his colleagues – and for a growing number of Conservatives and even in the end the Prime Minister – the East-of-Suez effort has been regarded more and more as just a sop to Washington, necessary only as a *quid pro quo* for backing for the pound. The one semi-serious exception to this view was when the Prime Minister, attempting to pacify his left wing, depicted Britain's forces as necessary to keep America and China apart, and even he was not bold enough to say it very often. But now that the old sterling parity has gone, the world role seems only to

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stand in the way of Britain's rightful place in Europe, and the pro-Europeans allied with the little Englanders in the Cabinet have decided to have done with it. Denis Healey and George Brown, the Foreign Secretary, put up a last-ditch fight but lost. Their credibility and their jobs are now much diminished.

Some undertaking to go to the help of friends and allies remains, although quite how the various assistance pacts now stand still has to be settled. Whether in brushfire conditions the new arrangements will be worth much more than the paper they are written on once the forces have gone is doubtful. Without the F-111's, questionable as their real value may yet be, Britain clearly lacks in the seventies the capacity to bring decisive power to bear on a local conflict quickly. Whether this will please the Labour government of the 1970's – or opposition as it might then be – as they see some favored nation go under to a right-wing military coup is no longer of relevance.

The withdrawal will not greatly add to Britain's military strength in Europe. The overall plan is to cut back the armed forces by 75,000 men, leaving a force smaller than that of France, Germany, Italy and Turkey; the fifth-ranking Army in Western Europe, the second-ranking Air Force, and marginally the largest Navy. The danger the government's new measures run is that they put in jeopardy offset and other arrangements with America which go some way toward keeping Britain's technological industries active, and they do this before there is any real sign of a willingness in Europe to join in major technical projects. And if the capitalist world experiences yet further contractions, as after the recent Johnson measures it might well do, then in the resulting round of beggar-my-neighbor retaliation it could be Britain, not yet in Europe and less favored by Washington, that gets worst beggared. Certainly an awareness of this possibility is bringing the activities of Anglophobe congressmen under closer British scrutiny.

But the immediate reaction of the British public is overwhelmingly one of relief. It fits the Prime Minister's post-devaluation cry of "Britain First," and it fits too the grass-roots desire to "Back Britain" – to the exclusion of practically everybody else. The Back Britain business is one of the stranger manifestations of the current mood. Starting from the totally admirable desire of five typists to work an extra half-hour with no pay "to help get the country on its feet again," it blossomed rapidly and unhealthily into a Buy British campaign, which for a country so dependent on trade is a desperate if not disastrous cry. Still the movement, puffed up though it is by fashion and publicity, does show a desire, which many outside thought to be lacking, to do something, and shows too an impatience with the politicians for not indicating clearly what has to be done. The real worry is whether even after the government cuts and the new broom on defense the indications are all that much clearer.

The Chancellor is the first to admit that the strategy is only half unfolded. The government's cuts in its own expenditure – all of which in the current year are domestic – still leave a lot to be cut from consumer spending if the switch of resources into production for export is going to work. Roy Jenkins plans to complete the job in the budget in mid-March, but it is not clear what keeps him waiting. Already the British people have been on a post-Christmas spending spree of record proportions. Notice that the shutters will come down in March may only tempt them to continue. It has yet to be shown that a series of small shocks – which is what this government has favored both before and after devaluation – is any more palatable or any more telling than that one major crunch.

Certainly the March message is bound to be doleful. The government's own cuts have produced only about a third of the necessary resources. Persuading the Labour left into renewed charges for medical prescriptions, and into a two-year delay on raising the school leaving age from 15 to 16 was politically nimble – and made easier because the defense cuts had softened up the critics – but economically the government's own savings are not overimpressive. They leave consumer spending with the prospect of very little increase this year, and virtually none next, and that could mean the government issuing a renewed call for a wage freeze as well. Clearly in a government as unpopular as Labour currently is, the prospect of yet more odium must give ministers pause. There must after all, it may be argued, be a limit to what the people will take. Quite so, but Labour has the power to dish it out for three more years, and in these circumstances it makes sense to get the worst over first and hope for brighter things when election time comes around.

The arguments so far, and the decisions taken on the government's own spending have been relatively easy. There was even a sense of comradeship as ministers bartered £15 million of this program for £15 million of that. In the end there was only one casualty – Lord Longford, who could not take the schools decision, but he was due to go soon anyway. The rest of the Cabinet could claim the axe fell equally, although it was certainly more equal in some areas than in others. Above all, they could all rely on the fact that almost any cut in the government's own spending will be, on balance, popular with the public. Phase two of the operation will be harder. It will hit the public directly. It will prove to be the real test of how Labour's nerve is holding up.

BRIAN WENHAM

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The Politics of Theatre: **Reagan at Yale**

Ronald Reagan is the kind of guy who should start an argument. At least that is what most of us in New Haven expected before he arrived as Yale's Chubb Fellow. There would, we thought, be happy applause and angry noises, petitions of support and opposition, strong language of praise and damnation.

We were altogether wrong. For while the Governor met with students and faculty in lectures and seminars, at lunch and over cocktails, before the public eye of television and in the privacy of Mory's, there were few arguments and no real exchange of ideas. The obvious issues were raised – Vietnam, civil rights, Berkeley, and welfare – and to obvious questions came "canned" answers. The pat replies grew tiresome even for the Governor. "I've answered that a hundred times . . . can't you think of another question?"

Reagan and his Yale audiences – "audience" is the word – bored each other almost silent. The Governor was polite about silly questions, and most of us were nice about silly answers. If the Governor was compelled to touch upon some sour argument, he was careful to sweeten it with a happy story or an amusing quip. Not once did a Reagan answer visibly annoy the Yale audience in general; only occasionally did some rude fellow indicate his disagreement. So cordially vacuous was Governor Reagan's Chubb week that *Newsweek* summed up his departure as "a benign goodbye, Mr. Quips."

Both students and faculty were painfully aware of their own oatmeal-smooth passivity. Many were mystified by their own inability to restructure the situation. At the typical Reagan lecture it was not unusual to see students enter with piles of clippings, magazine articles, and written questions; yet most left with these questions unasked and unanswered. By their own admission, both students and faculty accepted some statements, failed to challenge others, and ignored still more, when they would have challenged and debated these same statements had they been made by Jesse Unruh, John Lindsay, Bobby Kennedy, or Nelson Rockefeller.

We began by asking some students – many of whom privately expressed their disagreement with Reagan – just why they had behaved so passively in his presence. Some said they had been quiet "out of politeness," but (since they are not *always* deferential) one wonders why they felt the compulsion so strongly on this occasion. Others claimed that they "felt sorry for the poor man" but (since they are seldom sorry for important people) we wonder why Reagan evoked such compassion. Still others were, they said, "intimidated by his command of facts," but (since much better prepared lecturers have often been peppered with questions at Yale) this seemed an unsatisfying explanation. Still another group argued that Reagan "wasn't worth the sweat," but (since seemingly less worthy figures have caught hell at Yale before) we would not take this as a final answer.

Ronald Reagan, radio sportscaster turned movie star, turned politician, is a child of the electronic age. He is the first politician in our history who grew up with (and in) the media, and for whom it truly can be said that "the medium is the message." He is the first Chubb Fellow who would not make a statement to the newspaper press without TV cameras being present.

No other politician at this time is so sensitive and so skillful in exploiting the electronic medium. Governor Reagan, for example, is the first politician to perfect the taped television press release, which most stations – especially the independent ones – use without editing. The electronic medium with its ability to give the appearance of substance, breadth, and depth, is perfect for Ronald Reagan. For, as California reporters have noted, he has the uncanny ability to appear on film as straightforward and decisive, when to the small group in the press conference he may seem evasive and shallow. Ronald Reagan is thus today's dream candidate. He is one of the few politicians who can take direction; he is a master of style and image projection.

It follows that people respond to Reagan *as an audience*. Even in fairly intimate surroundings, one feels himself a part of a large, properly passive crowd, watching and listening and being entertained. One student who peeked through a door to see Reagan lecturing an economics class said it "was just like watching TV." A luncheon at Mory's was a little like theatre in the round; even the waiter hardly dared interrupt the performance. It is not that one cannot forget his movies – one cannot remember most of them. But Reagan presents himself as a performer, and one takes up passive membership in his audience.

As a consequence, Reagan quite often made simplistic remarks to people who knew better, yet they did not challenge him. There is, for example, the matter of government tyranny. It is this specter, he says, which prevents his supporting most state and federal civil rights acts – California's Rumford Act, the 1964 Civil Rights Act, the 1965 Voting Act, and "any national open-housing policy." But what of private racial tyr-

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anny? He is opposed to government regulation of business because that is tyranny. But what of corporate oppression of the individual? Too often we were so much of an audience that we sought no elaboration. Audiences do not ordinarily talk back, especially not if they like the performer more than his lines. And the Governor makes you like him. From the moment he entered a large audience situation, one was struck by the smooth, poised forthrightness of the Governor. An aura of good-natured, well-meaning openness quickly seemed to envelop the audience – at least on the surface – as the Governor told of his attempts to save the "state treasure" by prohibiting out-of-state travel by California's employees. And there was the story of his decision to have Pat Brown's name "X'd out" on stationery and his typed in, to save several thousand dollars in printing costs.

The image which emerged was Ronald Reagan, battling the rats of fiscal irresponsibility. To rebuke such a figure would be like attacking the inventor of a better rat trap. It was only after one left this large gathering that the rats seemed to dissolve into field mice. For the Governor of one of the nation's richest states, with an annual budget of $5 billion, was struggling mightily to save less than one-tenth of one percent of it. This certainly was fiscal responsibility, but responsibility *reductio ad absurdum*.

The feeling of admiration for a clever and conscientious administrator might collapse if Reagan too often stated his opinion on matters of more critical significance. But a second element of the Governor's style intervened consistently to prevent this: he is adept at turning hard questions. Often, he escaped a question by dwelling on an extreme case – a "widow on welfare for over fifteen years," for example, made frequent appearances. At times he used a simple quip – "You know California doesn't have a foreign policy."

We have been given the impression that Reagan is just as ignorant as "Bonzo" – his primate co-star in an early movie. Often, we have seen Reagan as the misguided opponent of academic freedom and betrayer of California's great state university at Berkeley. The press has made it easy to suppose that Reagan's imaginative but inadequate response to the Watts ghetto masked a not-too-subtle racism. The liberals have been encouraged to view Reagan as a reactionary; the moderates to view him as an extremist. For these and other reasons, many members of the Yale community came prepared for the very worst – whatever the worst may have been in their own scheme of values.

Reagan's performances *were* distinctly better than his billing. On many California questions – the Colorado River dispute, Berkeley, Watts, administrative waste – he was well enough informed to field all the questions. Incidentally, he did especially well with those queries taken from a mimeographed sheet sent East by his Republican adversaries in California. Without prompting, he took note of their origin and apologized for not having had time to deal with them all.

And a great many of the Governor's opinions are not extreme, by Yale's or any other standards. Reagan is against communism, but not against civil liberties. He supports General Hershey on the continuation of Selective Service, but opposes him on the punitive use of the draft. He is opposed to the present welfare system, but does not favor the utter abandonment of the poor. This slice of moderation did not go unnoticed, and many who had come to be scandalized were quietly disappointed. One can argue, of course, that reaction to performance is partly a matter of audience expectations. Plays with bad reviews are not hissed by those who show up anyway.

The Governorship allows Reagan to take the role of the happy incumbent – the man who seeks no personal advance. Men like Richard Nixon or Harold Stassen do not enjoy this protective cover. Despite a strong hunch that Reagan harbors a private urge to be President, we are not asked to evaluate him as a candidate. One is, therefore, inclined to accept him on his own terms, without calling forth the critical standards which apply to presidential candidates. His heated denial of presidential ambition – "you'd have to be out of your skull to want the job" – reinforce the protective effect of his California incumbency.

Most of the explanation for the cordiality and vacuity of Reagan's encounter with Yale might apply equally to his encounter with the American public-at-large. Admittedly, much more would be expected of him if he were to become a presidential candidate, but his electronic-self, his soothing style, and the backfire from his bad press will still be with him in any such encounter.

If Nixon runs badly in this spring's primaries, there is every reason to suppose that Reagan might show a livelier interest in the Presidency. He would do better with Nixon's disappointed backers than George Romney or Nelson Rockefeller. He would do better with the mass electorate than Barry Goldwater did, if only because he is the master of an electronic age while Goldwater was the relic of an oral one.

In conclusion, we can say two things. We are more convinced than ever of Ronald Reagan's capacity to become a big-time, perhaps even presidential performer. And we are no happier at the prospect.

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Patriotic Justice

Down with Henry Miller— and Sen. Joe Clark

Pennsylvania Democrats, already troubled by the Johnson image, face the possibility of having their party ripped apart in next April's primary elections by State Supreme Court Justice Michael A. Musmanno.

The twin fires of ambition and vengefulness burn so strongly in the 70-year-old justice that it is hard to know whether he would rather be a United States Senator or simply destroy his fellow Democrat, Joseph S. Clark, who is seeking renomination and reelection. To accomplish both would fill this anachrogogue's cup to overflowing, but the nomination of Musmanno in April is almost as unlikely as his election in November. He hasn't decided yet whether to run, and has until February 13 to make up his mind, but as a candidate he can rally the support of large ethnic groups in Pennsylvania and as a non-candidate he can turn many of them, especially the state's bloc-voting Italians, against the senior senator from Philadelphia.

This hatred goes back to 1964 when Musmanno was the Democratic organization candidate for nomination to the Senate and was defeated, after a lengthy court count of ballots, by Miss Genevieve Blatt, who in turn was defeated in the general elections by Republican Senator Hugh Scott. During the Musmanno-Blatt campaign, Senator Clark committed the error of demanding of the justice the place of his birth, his age and family name. There was some reasonableness behind the questions, if little political soundness, since the justice always has tried to conceal his age, birth records are not available, and Musmanno did for a time practice law under the name of Musmann.

Musmanno successfully turned the questions into an attack on Italians and other ethnic minorities, and Clark's friend, Junior Senator Scott, who once drew upon an Italian ancestor of his own when campaigning in South Philadelphia, threw a few faggots on the fire since he would be the November opponent of Miss Blatt. "For the first time in my territory, a candidate for office in Pennsylvania was being judged not on experience, and ability to serve, but rather on the spelling of his name and on his national origin," Scott said.

As the new head of the National Confederation of American Ethnic Groups, which claims 20 million members, Musmanno has lost no time in utilizing this forum against Clark. "The man in Pennsylvania whose actions convince me of this [bigotry] is a spouting giant of prejudice, snobbery and intolerance," Musmanno said at his inauguration. "He is US Senator Joseph S. Clark. His manner of speaking is not of the 20th century, he belongs in the medieval ages."

Temperance of language and reticence to intrude are not counted as blessings by the justice, whether in politics, Supreme Court opinions, history or civic or social or Israeli or Italian or German affairs. He is a patriot with flags in both hands and communism on his mind. Although Musmanno is a jurist, and therefore learned in the law, his many court crusades against communists have achieved little but fracture of due process and headlines for himself.

In one decision adverse to a Musmanno crusade, the State Supreme Court blistered Musmanno, then a judge of Allegheny County (Pittsburgh) Common Pleas Court. "What the judge has done in his zeal against communism is to employ the detestable method employed by the communists themselves in arbitrary and unjudicial proceedings contrary to all our cherished traditions of law and legal procedure," wrote former Chief Justice James B. Drew. Musmanno has found more ways to violate the canons of judicial ethics than most jurists and has from time to time been censured by fellow judges and by various bar associations.

From 1951 to 1963 he was under suspension by the American Bar Association for running for non-judicial office while a member of the Allegheny County Common Pleas Court. In 1952 he was censured by the Allegheny County Bar Association for political activity. Musmanno's answer was to resign in no few words: "The resolution [of censure] itself shows authorship that is barren of ethical responsibility and prolific of personal abuse. It reveals a mind so deep in the stream of prejudice and hate that reason founders and can only speak from the alluvium of ignorance and conceit. I intend to carry on as in the past, not swerving one jot or iota from the North Star of rectitude which has guided me in all my public life."

It was in his early days on the Allegheny County Common Pleas Court that Musmanno was removed as presiding judge, by vote of his colleagues on the bench, because of the unorthodoxy with which he conducted a campaign against drunken driving. The trials became such spectaculars that on New Year's Eve 1951, 8,000 persons streamed to the court to enjoy the discomfiture of their fellow revelers. He had decided that anyone who had a drink and drove was Public Enemy No. 1, intoxicated or not: "He knows that the automobile is an engine of death unless operated with superlative care, with every muscle and brain cell coordinating perfectly. A drunken driver is a potential killer. A spinning wagonload of dynamite is loose on the highways. A man-eating tiger

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is stalking the crowded streets."

That was just rhetoric. The kind of thing that Musmanno did to finally bring down the wrath of his fellow judges was to equip himself with a stethoscope and assume the duties of a physician in deciding whether a driver was drunk. "I tried to get a doctor but was unsuccessful," Musmanno said in a denunciation of the board of judges. "The police came for me in their car and I went to the police station. Still, no doctor showed up. I realized that the longer we waited, the less evidence there would be of the defendant's degree of intoxication, whatever it was. I had seen Dr. Sable conduct examinations of drunks scores of times. I knew what the tests were. I applied them."

In sentencing one George P. Kerr for involuntary manslaughter by automobile, Musmanno sought to assure a lifetime of remorse. "You executed Wasko without a trial," the jurist intoned, "without compassion and without benefit of clergy. For the rest of your life he must be on your mind and wherever you go his phantom will walk beside you."

But there were times when Musmanno relented, as he did in the case of Big Chief Charlie White Horse. "He in whose blood courses the primitive abandon of the open prairies, the bending winds of the sky-brushing forests, the foaming river rapids and the symphony of the mountains in their orchestrated wildness, suffers more keenly the confinement . . . than the white man," he wrote in diminishing Charlie's sentence.

This kind of thing goes on today, but from the State Supreme Court bench. In a dissenting opinion filed last March, Justice Musmanno attacked the majority of the court for finding that *The Tropic of Cancer* has a place in the bookstores of the state: "The decision of the majority of the court in this case has dealt a staggering blow to the forces of morality, decency and human dignity in the Commonwealth of Pennsylvania. If, by this decision, a thousand rattlesnakes had been let loose, they could not do as much damage to the people of this state as the unleashing of all the scorpions and vermin and immorality of that volume of degeneracy called *The Tropic of Cancer*. Policemen, hunters, constables and foresters could easily and quickly kill a thousand rattlesnakes, but the lice, lizards, maggots and gangrenous roaches scurrying out from beneath the covers of *The Tropic of Cancer* will enter the playground, the study desks, the cloistered confines of children and immature minds and eat away the moral resistance and wreak damage and harm which may blight countless lives for years . . . to come."

In another section of the opinion Musmanno indicated a bowel and bug complex as he personally castigated Henry Miller: "*Cancer* is not a book. It is a cesspool, an open sewer, a pit of putrefaction, a slimy gathering of all that is rotten in the debris of human depravity. And in the center of all this waste and stench, besmearing himself with its foulest defilement, splashes, leaps, cavorts and wallows a bifurcated specimen that responds to the name of Henry Miller. One wonders how the human species could have produced so lecherous, blasphemous, disgusting and amoral a human being as Henry Miller.

". . . Henry Miller, whose literary clothes are plastered with filth, whose language is dirtier than any broken sewer that pollutes and contaminates a whole community – Henry Miller, who shuns a bath of clean words, as the devil avoids holy water, reduces human beings to animals, home standards to the pigsty, and dwells in a land of his own fit only for lice, bedbugs, cockroaches and tapeworms."

Justice Musmanno has built a reputation as a dissenter, and delights in it. His fellow justices do not. One of his Chief Justices, the late Horace Stern, said he didn't read Musmanno's dissents, not being "interested in current fiction."

In 1953, Musmanno – then judge – was arrested on a charge of attempt to hinder a witness in a bribery case. Upon his discharge he delivered a paean to due process that was somewhat startling in the light of his own flamboyant judicial career. "Thank God," he said, "that the integrity of justice has prevailed over the inscrutable forces which attempted to turn a perfectly innocent and friendly conversation into a crucifixion of honor. The shattering blows of this now-adjudicated, unfounded prosecution have taken a fearful toll of my health, already weakened by my surgical operation. Throughout the entire siege, however, I steadfastly maintained the faith that the processes of law to which I have devoted my life would reveal and reiterate the truth."

Justice Musmanno's political campaign literature always proclaims that he was a hero in both World Wars. World War I records show that a Michael Musmann entered the Army September 2, 1918, and was discharged February 26, 1919. He couldn't have been a hero then, if only because he didn't get to the war on time. In World War II, the justice obtained a commission in the Navy as Lieutenant-Commander, attached to the Judge Advocate General's headquarters. Before long he was detached to sea duty, and again, before long, he was attached to the Army as liaison officer. In Italy, he served as military governor of the Sorrentine Peninsula and in the postwar years he was a judge in some of the Nuremburg trials. Musmanno says the Italians loved him. It was perfectly clear the Army did not. It spent eight months seeking his relief from that duty.

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They're Still Breathing

It starts with breathlessness and ends with death. Along the way, the victim can experience bronchitis, emphysema, an enlarged heart and progressive massive fibrosis leading to severe respiratory disability. The disease is coal pneumoconiosis. In 1963, a US Public Health Service study concluded that, at the very least, about one of every 10 active, bituminous coal miners and one in five inactive miners have it.

Five years ago was a little late in discovering this widespread prevalence of the disease. Coal miners have been depleting themselves for an energy-hungry society for over a century. However, even more unsettling has been the inaction during the years after the PHS study.

Far more attention and expense is being devoted to the aesthetic costs of strip coal mining than to preventing the human wreckage which continues to stumble out of the mines after years of working in quietly miserable conditions. These are the coal mines which are bringing their owners record profits. This is the industry which is subject to coal mine safety laws that have been deprived of both their nourishment and inspiration by inert administrators who are surrounded by indifference.

Reports on coal mine safety emanating from the Department of Interior have never fully reflected the health hazards endemic to this occupation. Recommendations for action, particularly those not dealing with mine operating safety, have been cut out of final revisions so as not to discomfort coal operators. Both the operators and officials of the United Mine Workers are more concerned about the problems of competing energy sources and anti-air pollution drives than the slow death in the mines. UMW hospitals are available for the sick worker but the UMW seems far less interested in the toxic environment of the mines.

If the dimensions of this occupational hazard are not revealed by the Interior Department, which is responsible for coal mine safety, then most certainly the resources to develop methods of disease recognition and treatment, engineering techniques for dust control and safer working standards, will not be forthcoming. And, despite the very vague rhetoric, they have not been forthcoming.

In 1952, there were 335,217 coal miners employed. A little over a decade later, the number of miners dropped to 128,698. These figures give some indication of the number of inactive and active miners exposed to coal dust. Coal is far from a dying industry, however. Its star has been rising since 1961, and now coal accounts for about 27 percent of US energy output, with a dollar value at the mines exceeding $2.3-billion. The larger coal companies are so profitable that they have become prime acquisition targets of oil, copper and other industrial giants. But growing concentration, efficiency and profit have not brought a more healthful mine environment. On the contrary, government specialists believe that mechanization may have increased the miner's exposure to coal dust.

Workman's compensation costs run $27 million annually in Pennsylvania alone – a state which accounts for just 20 percent of total coal mining employment. Yet when Congress finally appropriated $100,000 in 1963 for a PHS study of the incidence of coal workers' pneumoconiosis, the European Coal and Steel Community was spending $9 million annually researching this disease from coal mine to laboratory. Environmental controls in the mines, such as water spraying for dust suppression during blasting and on automatic equipment, have resulted from the findings.

The PHS study concluded that death rates for coal miners were twice that of the general working male population, while death rates for diseases of the respiratory system were about five times that for the general working male population. British soft coal miners were reported to have a considerably longer life expectancy than American coal miners.

The Public Health Service, which has contracted for a number of small studies on coal workers' pneumoconiosis in recent years, is preparing a major report on health hazards of coal mining. Its contents will certainly provide a basis for serious concern. But like the rasping voice of the wasting coal miner, the report alone will be unlikely to move the US Bureau of Mines, the coal industry or even the United Mine Workers toward sustained action. Like the recent hearings on radiation exposure in the uranium mines, that is dooming large numbers of these workers to early death from lung cancer, a congressional inquiry is necessary to supply the necessary metabolism for dealing with the insidious ravages of coal dust. A Congress, which has displayed such staunch efforts to preserve tax depletion allowances for companies engaged in extractive industries, should have little difficulty persuading itself of the need for preventive measures to diminish the bodily depletion of their employees.

RALPH NADER

MR. NADER, *whose journalistic career as Public Defender has brought him national attention, recently described in these pages how the meat and fish industries peddle injurious products.*

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How to Beat Integration

The Story of Sellout in Virginia

by Gary Orfield

Charlottesville

Fourteen years after the 1954 Supreme Court decision, political compromises in Washington have virtually destroyed the federal effort to desegregate Southern schools. The enforcement program created under the 1964 Civil Rights Act has been quietly gutted, just as the program was on the verge of final success.

Four years ago, when President Johnson signed the Civil Rights Act, it seemed like the end of Southern defiance of the Supreme Court ruling. Endless judicial delays were to be replaced by a simple injunction to school officials: no integration, no federal money. In the controversial school desegregation guidelines the Office of Education specified the rate of desegregation necessary for a locality wishing to retain federal funds. The temptation of a huge new aid-to-education program, coupled with the threat of Justice Department lawsuits, convinced most rural courthouse politicians to go along as enforcement began. The Administration now had a weapon strong enough to transform race relations in Southern education. The question was whether the power would be used. By late 1967, it was clear that the answer was "no."

In Virginia, as throughout the South, change was directly proportional to federal pressure. For two years pressure from Washington was strong; then it faltered. In the Old Dominion, where two districts in every five had done absolutely nothing in the decade following the 1954 decision, federal firmness brought at least token integration in every school system in the fall of 1965. During 1966 a number of districts in the Washington area and in the relatively progressive Western part of the state were induced to abolish separate schools and dozens of communities fervently believing in the universal intellectual inferiority of Negroes were forced to accept a few black teachers in the white schools. The percentage of Negro children in integrated schools doubled and redoubled, reaching 20 percent as the 1966-67 school year began.

A prohibitively high price had been paid, however, for the progress of the first two years. Virginia school districts had been allowed to operate under "freedom of choice" desegregation plans. This seemingly unobjectionable phrase expressed the general Southern conviction that all constitutional demands are satisfied if each Negro student is offered a theoretical chance to enroll in a white school. Former Commissioner of Education Francis Keppel and Commissioner Harold Howe have since admitted that the initial decision to accept free choice was a mistake.

Since it was fine, under free choice, to operate separate all-Negro schools so long as all their pupils "voluntarily" chose to enroll, there was little incentive for change. No white students, of course, chose to enter schools stigmatized in the community as Negro and therefore inferior. Most Negro students found it easier to keep going to the Negro school than to publicly defy caste lines. A spectrum of worries ranging from KKK threats to economic reprisals to undefinable uneasiness undermined the effectiveness of the system.

A year's experience made obvious what Washington should have realized from the first – that freedom of choice could never reach more than a small fraction of the Negro children in most communities. So, in 1966, federal authorities ruled that in the future free choice plans would be accepted only if they actually produced substantial yearly progress toward total integration. General standards for adequate progress were expressed in a series of percentages written into the guidelines. By now, however, Virginians were convinced that freedom of choice was all that the law demanded. A clash became inevitable.

The free choice system was pressed to its limits in Virginia during 1966. Although a number of districts made some further progress, many fell far short of the minimum HEW standards. Widespread local refusal to take further desegregation steps became a severe threat to the entire enforcement effort. Finally, late in the year, the seven worst districts in the state were cited for fund cutoff hearings. Concentrated in the Southside blackbelt, these systems had an average of only 40 Negro students in integrated schools. None of these school boards had made a serious effort to comply with the faculty desegregation requirement. Some were openly defiant.

The belated enforcement actions prevented the im-

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mediate collapse of the federal desegregation effort but were insufficient to maintain the momentum of change. In many districts far below guidelines standards, no action was taken. Fall 1966 enrollment figures revealed that the Administration had continued subsidies to many Virginia districts where more than nine-tenths of the Negro children remained in Negro schools. In some cases, fewer than two percent of Negro students had transferred. Federal dollars flowed into 14 districts which had no faculty desegregation.

The formalities of the guidelines were now meaningless. The HEW practice of acting against only the very worst districts and proceeding very slowly on a case-by-case basis made it evident that federal authorities would tolerate a record far below guidelines minimum, so long as it was slightly above the state's worst districts. It was is if the Internal Revenue Service demanded full payment of income tax but then clearly demonstrated by its actions that it was perfectly safe to leave three-fourths unpaid. The 1966 figures showed that HEW had decided that there was no violation of the Civil Rights Act in school systems where only one child in 30 was enjoying his constitutional right to a desegregated education.

Even this limited effort was bitterly criticized in Virginia. Governor Mills Godwin Jr. missed no opportunity to denounce the guidelines or to harass the enforcement staff. Southside Virginia congressmen joined in the congressional clamor for Commissioner Howe's resignation. Judge Smith, the Virginia congressman then heading the House Rules Committee, launched an investigation of the Office of Education.

The federal response was an effort to find some compromise which would lessen Southern hostility. The enforcement program was cut back in Virginia. The investigating teams that had angered the governor in 1966 were gone in 1967, replaced by a much smaller effort at summer's end. Although experimental decentralization of the civil rights task to HEW's Charlottesville, Virginia, regional office had revealed slight regional enthusiasm for a strong effort, most of the staff was transferred in hopes of mollifying critics. An effort was even made to recruit Virginia school officials to review progress in local school districts. When Congress allotted urgently needed additional personnel to the program, the Administration refused to hire them on the grounds of "economy."

Federal responsiveness to political pressure was strikingly apparent in Nansemond County, Governor Godwin's home county. In 1966, only four percent of Nansemond's 6,200 Negro students found their way into integrated schools, and faculty desegregation was at a fraction of the guidelines minimum. By rewarding the governor's attacks with a continued flow of federal money to his county, HEW encouraged resistance and spread cynicism about the susceptibility of the enforcement program to political influence. Formal federal standards threatened the loss of federal subsidies unless student integration was tripled and faculty desegregation increased 900 percent in Nansemond. But as this school year began, local officials reported to HEW that student integration actually crept forward only a fraction of one percent, while faculty desegregation remained at less than a fourth the required level. In spite of a protest to Secretary Gardner, the flow of federal money has continued, and HEW's Office of Civil Rights has explained that no action beyond counseling with county officials was called for.

Last year at this time, communities all over Virginia were balancing between continued token integration under free choice or a move toward the final breakup of the dual school system. The crucial factor in these calculations was an assessment of HEW intentions. As the months passed with no indication of federal determination, few school officials made plans for the difficult transition.

Statistics just released show that almost one-third of Virginia districts desegregating under the guidelines have either gone backward or made no significant advance. Ignoring official requirements for either large advances in the level of integration or abandonment of free choice, HEW has approved new enforcement actions against only three of the worst districts. Some 25 school boards continued to receive aid last fall although they were violating the gradual faculty desegregation requirement, an essential element in ending the racial identity of given schools.

The faltering determination was perfectly reflected in Henrico County, the largest school system in Virginia operating under the guidelines. A prosperous Richmond suburban area with only six percent Negro students, Henrico was notified two years ago that future eligibility for federal programs depended upon rapidly phasing out its all-Negro schools. As the *Richmond News Leader* denounced the "arrogant edicts" of the "Commissar of Integration," county officials took an intransigent position. HEW backed down. Henrico continued to operate a free choice plan, but last fall the county failed to meet even minimum standards for freedom of choice. While there should have been at least a 10 percent improvement in student integration, the level fell three percent. Faculty desegregation was at one-fifth the required level. Not a single Negro teacher was in any of the county's 36 white schools.

When questioned in Charlottesville, the new region-

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al director of the program talks about the need to strike a balance between local complaints and civil rights demands that the law be enforced. He excuses current unwillingness to cut off funds by referring to the recently announced 1969 deadline for total integration of all school systems. Thus, any confrontation is conveniently postponed until after the presidential election. The net result is a two-year suspension of the Civil Rights Act.

Delay carries severe dangers. The entire enforcement effort may well be decimated by an angry Congress reacting blindly to urban riots. In the last two sessions of Congress, the House had adopted amendments seriously threatening the compliance program. In a Congress firmly in conservative control, the effort would have a very short life expectancy. Even more chilling is the likely response of a Republican President elected with Dixie support or a President who must deal with George Wallace to gain his electoral majority in the House of Representatives to be reelected.

Ironically, the politically inspired delay in Virginia may prove to be bad politics. President Johnson's early identification with civil rights has permanently alienated the segregationist vote. Nixon carried Virginia in 1960, and Johnson's best hope in 1968 is for a sizable vote for Wallace's anti-guidelines crusade, splitting the conservative electorate. The President would also be seriously mistaken to take for granted the overwhelming Negro vote he received in 1964, for Virginia Negroes have strong historical ties to the Republican Party. The Johnson Administration may be in the process of outsmarting itself, losing credit for major achievements and gaining nothing.

The Civil Rights Act could still make race irrelevant in education in most of the South. There could be no greater contribution to Southern education, but the opportunity will be brief. There are no signs of the needed commitment in Washington now.

Are the Vietnamese Anti-Chinese?

by Tran Van Dinh

Secretary of State Dean Rusk has raised the specter of a "billion Chinese on the mainland" within the next decade or two, "armed with nuclear weapons, with no certainty about what their attitude will be toward the rest of Asia." He does not find it "very attractive to think of the world cut in two by Asian communism, reaching out through Southeast Asia and Indonesia." The US is now in Vietnam to contain this threat, to prevent the "hundreds of millions of people in the free nations of Asia from being under the deadly and constant pressure of the authorities in Peking."

Very well, but if the United States is out to contain the Chinese, why fight the Vietnamese? Why devastate the only Asian country which, time and again, fought back all Chinese invasions and overthrew all Chinese domination? Although North Vietnam is now a communist state, there is no evidence that it is a puppet of China. Indeed, North Vietnam sent Mr. Le Duan, first secretary of the Lao Dong Party, and the National Liberation Front sent a member of its presidium, Mr. Dang Tran Thi, to the November celebration of the 50th anniversary of the Bolshevik Revolution in Moscow, an event boycotted by China and unattended by communists from Burma, Indonesia, Malaysia, Pakistan, Japan and Singapore. This hardly suggests that either Hanoi or the Viet Cong is subservient to Peking.

There is another more important question to be asked: Though the Vietnamese regard the Chinese as their "traditional enemies," would the North Vietnamese leaders accept Chinese volunteers if and when the US invaded North Vietnam?

To answer these questions we must probe past relations between China and Vietnam.

The Viet (in Chinese: Yueh) first appeared in the central Yangtze River Valley (now the provinces of Hupei and Hunan in China) at the beginning of the first millenium B.C. By the 6th century B.C., the Viet occupied a large portion of land in the present coastal province of Chekiang. In 333 B.C., the state of Yueh (Viet) was destroyed by the state of Ch'u, and the Viet migrated southward. By the 3rd century B.C.,

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one community of Viet people established themselves firmly in the Red River Delta (in North Vietnam) at about the 22nd parallel, spreading gradually by the 2nd century B.C. down to the 18th parallel. By three B.C., their newly created state, the Nam Viet (the state of Viet in the South) which had developed a distinct pattern of civilization, was conquered by the Chinese Han. This domination, which was to last 10 centuries, was marked by regular uprisings, the most serious led by two women, the Trung sisters in 39 A.D. The Han colonization of Nam Viet resulted in the "Sinization" of the subdued state, a phenomenon comparable to the Romanization of Europe at the beginning of the Christian era. If the Romans were interested in making their subjects Roman, the Chinese were attempting to make each one a Quan Tu, a civilized man (literally a son of the emperor). If the Romans built roads and aqueducts, the Chinese concentrated on establishing in Vietnam a cultural society based on communal and family life. From China came the three currents of religion and philosophy: Buddhism, Taoism, Confucianism, which continue to influence the Vietnamese way of life. Chinese domination, although hard and tyrannical at times, proved in the long run beneficial to the Vietnamese for two main reasons.

First, the Vietnamese learned from the Chinese how to fight against their colonial masters and how to resist attempts to assimilate them. The French historians, Pierre Huard and Maurice Durand, have rightly stated that, "if Vietnam has been able through centuries to resist China and other countries, it is because it was the only state situated between India and China which had been 'Sinized' for a long period." Second, equipped with the tools of Chinese civilization and Chinese methods of social organization, the Vietnamese embarked upon the historical Nam Tien (March to the South) which started in the 10th century and ended only in 1780 at the tip of Ca Mau peninsula in the extreme South. This incredibly persistent March to the South added to the territory of Vietnam what is now South Vietnam. The Nam Tien penetration was accomplished by the force of arms, as well as by dynastic marriages and diplomacy. At all times, it was the result of tenacious labor of the Vietnamese peasants and of the enduring Vietnamese soldiers themselves recruited from the peasantry. Endowed with a superior social system, using better agricultural methods, the Vietnamese peasants and soldiers pushed back to the nomadic populations in the mountains, destroyed the once prosperous Kingdom of Champa and opened up new villages. Also, the Nam Tien set the Vietnamese frontiers further from the Chinese continent, thus giving them better protection against Chinese incursions.

From the 10th century when Vietnam emerged as an independent state until the end of the 19th century when Vietnam fell under French domination, the country suffered from several Chinese invasions, the largest being in the 13th century during the Tran dynasty (1225-1400). Three times – in 1257, 1285, 1288 – the Vietnamese army of peasants led by emperors and princes, scholars and poets, defeated the invaders, drove them out of the nation's capital, Thang Long (Ascending Dragon, Hanoi's ancient name). Here, an important point has to be made: The invaders of Vietnam in the 13th century were Mongolians, the very foreigners who invaded and conquered China. In 1788, Thang Long was once again occupied by Chinese troops, not the Hans but the Manchus who conquered China. Once again, Thang Long was liberated by the Vietnamese in 1789.

When the Chinese intervened militarily in Vietnam, they usually did so under the pretext of "restoring a legal Vietnamese dynasty" which had been overthrown. Imperial China used the same "legal" argument the US is invoking today to justify its intervention in South Vietnam: "We are there at the invitation of the legal government of South Vietnam."

However, after each successful resistance to the Chinese, the Vietnamese emperors turned to diplomacy

"If it's China they're after, let's send them a map."

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to express their regret over the "unnecessary conflict between the two countries," and to ask China's recognition of Vietnam as an independent state tributary to the Middle Empire (China). The Vietnamese emperors would then consent to pay a yearly or a triennial tribute to China in the form of elephant tusks, rhinoceros horns, brocade. And once peace returned, the Vietnamese would go back to reconstructing their devastated land, and to marching toward the South. They would keep themselves informed of internal developments in China, and whenever instability and disorder occurred there, the Vietnamese emperors would cease paying tribute, and China would send the governor of Kwang Tung and Kwang Tsi provinces to ask for an explanation. The present turmoil in China might tempt Hanoi to repeat the history and to move closer to the USSR. But then China might send a mission to ask for an explanation. This is President Ho Chi Minh's dilemma.

In 1802, Emperor Gia Long, founder of the Nguyen dynasty of which Bao Dai was the last ruler (he abdicated in 1945 in favor of President Ho Chi Minh), unified the country and made Hue his capital. He immediately sent a diplomatic mission to China to request recognition and Chinese agreement to change the name of the country from Nam Viet to Vietnam. In 1804, Peking sent the governor of Kwang Tsi to represent China at the ceremony of investiture of Emperor Gia Long. The Chinese plenipotentiary transmitted to the Vietnamese emperor two decrees, one accepting the change of name, the other fixing the amount of tribute to be paid each year. Vietnam would also send every four years a diplomatic mission to pay respects to the emperor of China. Gia Long's successors continued to honor this agreement until 1883, by which time the colonization of Vietnam by France had begun.

I have not yet mentioned what is perhaps the major conflict that has gone on between China and Vietnam – the literary war. Vietnam has been recognized by China as a "Van Hien Chi Bang" (the literary state). All Vietnamese ambassadors to China were poets and scholars, and Vietnamese emperors went to such lengths as ordering Vietnamese poets and writers to disguise themselves as boatmen or strollers in the streets to greet Chinese envoys on their arrival and to engage the Chinese representatives in literary jousts, as a way of impressing the Chinese and showing them how cultured the commoners in Vietnam were.

Despite military conflicts, the Vietnamese always welcomed the Chinese in their midst. A Chinese shop selling oriental medicine, books, groceries in a Vietnamese village has been often the center of much affection and understanding, not hatred and envy. If the number of Chinese residents in Vietnam (800,000 in the South; 50,000 in the North) is relatively small compared, for example, to Thailand (nearly 4 million) the reason is that the Chinese found competition with the Vietnamese (especially in the North) extremely hard. Most of the time, the Chinese came to Vietnam when their homeland had been hit by political upheaval or famine or both. Under Imperial Vietnam, the Chinese were given a great deal of internal autonomy. They were organized into "bang" (congregations) composed of Chinese of the same province or speaking the same dialect. The Bang Truong (the head of the congregation), chosen by their own people and approved by the Vietnamese authorities, acted as an administrative liaison agent with the Vietnamese government. In its essentials, the same system prevailed under the French. But President Ngo Dinh Diem by decree No. 133/VN of June 1960 compelled all Chinese residents in South Vietnam to take Vietnamese citizenship. That decree is still worth no more than the paper it was written on.

In more than one instance, Chinese immigrants helped the Vietnamese emperors extend Vietnamese territory. At the beginning of the 18th century, a Chinese refugee, Mac Cuu, settled in Cambodia, founded the district of Ha Tien, discovered the island of Phu Quoc which was then under Cambodian rule. In 1708, Mac Cuu surrendered Ha Tien to the Vietnamese ruler, Nguyen Phuc Chu, who appointed him governor of the new territory. Ha Tien (known as An Giang province) and Phu Quoc, are today part of South Vietnam.

I have met Americans who believe that under no circumstance would a Vietnamese leader ask for Chinese help. The history of Vietnam does not support this view. In the recent past, Vietnamese rulers *have* asked the Chinese to help them recover their thrones and to fight foreign invasions. Emperor Tu Duc (1848 to 1883) called on the Chinese Co Den (Black Flag) to assist him in resisting French conquest. During the French colonial regime, practically all anti-French nationalist political parties from the extreme right to the extreme left, from the Vietnam Quoc Dan Dang (Vietnamese Koumingtang) to the ICP (Indochinese Communist Party) operated from Chinese soil, where their leaders usually lived. Incidentally, the tomb of the most revered modern Vietnamese hero, Pham Hong Thai, a young patriot who committed suicide after the failure of his attempt to assassinate the then French Governor General Martial Merlin in 1924, is in Kwang Tsi in South China. His tomb has been the Mecca for Vietnamese nationalists of all political convictions. The Viet Minh, before Dien Bien Phu, got material help from China and did not lose any prestige among the Vietnamese people because of that assistance. The Viet Minh itself was originally formed in 1941 in China with the cooperation of the Chinese government

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– and the US Office of Strategic Service. But after the Second World War, when Chinese nationalist troops came to occupy Vietnam north of the 16th parallel, Ho Chi Minh tried by every means to get rid of them. A compromise agreement with the French allowed French troops to stay in Vietnam for 5 years – through March 6, 1946, the French agreeing to withdraw a fifth of their forces each year.

The Vietnamese are against all foreign occupations. But the Vietnamese are not xenophobic. They are eager to absorb other cultures and to make their own. They have mastered the Chinese and the French languages and will soon master English as well. Yet they remain stubbornly Vietnamese, refusing to be subdued by force. They will accept any sacrifice for any length of time to defend their independence. I believe North Vietnam will accept Chinese volunteers if and when the US invades the North. The Vietnamese would not then resent a Chinese presence. On their side, the Chinese will feel compelled to defend their borders against the US troops moving northwards. And why not? The US would react the same way if one million Chinese troops were moving toward the American-Mexican border.

Sorting Out the New Left and the Red Left

The Communist Party Today

by Michael Miles

Last April during the Spring Mobilization against the war, the Communist Party USA marched down the streets of New York under its own banner for the first time since the beginning of the cold war. We had "a great time," a marcher reported, "sang songs, and so forth. We even got some applause from the crowd. While we were singing, a priest – of all people – came running up and said, 'Sing the *Internationale*, sing the *Internationale!* I had to tell him that some of us, myself included, didn't know the words."

On the left, the Communist Party, is neither everywhere triumphant, as the FBI knows *a priori*, nor nowhere effective, as some liberals assume, also *a priori*. But it is there. And after losing most of its membership without compensation during the McCarthy period, it has recruited a new generation which is in motion politically. These young communists consider themselves not only party members but cadres of the "movement" on the left. Though distinguishable both ideologically and temperamentally from the New Left, they share enough of its taste for tactical and conceptual militancy that they are demanding and will probably get some of the same from the Communist Party.

As the cold war's abominable snowman, the party throughout the fifties was in the courts against the McCarran Act, in jail under the Smith Act, and on the boat back to Europe under the McCarran Immigration Act. The remnants were on their way underground or out of the party. Communists will tell you, "McCarthyism worked." The comeback of the party, along with the general revival of the left in America, can be dated from the beginning of the civil rights movement in the early sixties. Simultaneously, the party began to win favorable judgments in the courts against repressive legislation and to achieve *de facto*

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legality. But, the flash point for the CPUSA, as for the American left, has been the interventionist foreign policy pursued by the United States at the Bay of Pigs, the Dominican Republic and, of course, Vietnam. As the war has escalated and the civil rights movement has been superseded by riots and talk of black revolution, the movement of dissent has acquired a more highly charged political content – increasingly, opposition to US corporate capitalism (vaguely described as the "Establishment," the "System," the "Power Structure," etc.). The party as a whole has doubled – from no more than 6,000 members in 1960 to perhaps as many as 12,000 today. Young communists, who in 1960 were a small band of 100 second-generation CP sons and daughters, are now 2,000 strong – still, the party is quite small compared to the hundred-thousand members it had during the thirties, but as the editor of San Francisco's *People's World* comments, "In 1960 we had nothing; now we have something."

In the last year especially, the party has come a long way in its quest for respect on the left and respectability elsewhere. The major breakthrough has been the left's acceptance of the "principle of nonexclusion" – nonexclusion of communists in coalitions organizing in the peace, anti-draft and black freedom movements. The CP participated, for instance, in the planning and organization of last April 15's Spring Mobilization against the war. A party leader recounts that "at the planning meeting in Cleveland people were at the point of dropping the whole idea as a waste of time. Then Arnold Johnson [a communist] stood up. He swung the meeting. That was the first time that anything like that had happened in a long, long time."

But the "coming-out of the party" was last summer's National Conference for a New Politics. Not necessarily held in high esteem previously by young white or black militants, the party demonstrated an impressive capacity to function coherently amidst the random motion of the NCNP cloud chamber. As the only political organization represented in both the Black Caucus and the predominantly white convention, the party was able to apply vectors to both in an attempt to effect the eventual convergence of blacks and whites in support of a third-party presidential ticket. While black communists were influential in the Black Caucus in preventing it from walking out on the convention altogether, white communists pressed for acceptance of the caucus' thirteen demands, which included 50 percent representation in convention voting and condemnation of Israel's role in the Middle East war. The Black Caucus did not leave the convention and the whites accepted the demands. In the end, however, the blacks united with a white minority caucus of New Left organizers to defeat the third party proposal on the grounds that radical politics are really about local organizing and electoral politics are premature, if not intrinsically repulsive.

More recent evidence of the party's new prestige and activity on the left was its participation in last October's Stop the Draft Week. Curiously, although the party was represented on the anti-draft steering committee in New York, Bay Area communists refused to endorse the Oakland, Calif., draft demonstrations which during the week variously mobilized from 5,000 to 10,000 people. This says something for the legend of the devilish efficiency of the party monolith: the order goes out from New York and the local party group immediately does the opposite. Young communists say that the party is not only capable of inefficiency, the inefficiency is often a result of party democracy. Although some hear tell of undemocratic practices in the forties and fifties, few admit to any similar experiences in the sixties. The independence of some of the party districts is said to verge on rivalry. At a left-liberal "Power and Politics" conference in California before the Reagan-Brown election, the districts of Northern and Southern California had literally to negotiate their differences. In the end, they issued pamphlets urging contradictory actions.

Older-generation communists have special problems understanding their young, because McCarthyism effectively foreclosed the recruitment of a middle generation which might have mediated between the two groups. Although there are militants and iconoclasts in the older-generation leadership, and a fair share of party hacks among the younger, party dynamics tend to be generated among young communists who are just beginning to move into positions of party leadership (two members of the secretariat, almost 40 percent of the national committee, approximately half the staff of *The Worker*). Their criticisms of the party tend to parallel at certain points the critics from the New Left who say the CP is "too conservative."

What young communists feel is that the party has been a half step behind the New Left on crucial matters such as anti-draft organizing and Black Power. They bristle at the Social Democratic revisionism in the 1966 draft of the party program which suggested that communists could take power by "democratic means" and effect socialism by *constitutional amendment*. (The final version of the program is certain to be revised in a more radical direction.)

Tina Aptheker, a movement leader in Berkeley and now a CP district secretary, identifies ideology rather than tactics as the "biggest weakness of the Communist Party." There is, in fact, very little dialogue in the party in the higher reaches of general economic theory, comprehensive social analysis of the United States, or philosophical Marxism. Everyone supposedly knows

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the essentials already and the party journal, *Political Affairs*, is devoted to specific political issues. There is some interest among young communists in the writings of Antonio Gramsci, an Italian communist influenced by the idealist philosopher, Croce. In his prison notebooks, Gramsci emphasizes the importance of ideological influences, once the material conditions for a social system and its revolutionary successor have been established. In a party strategy paper, a young Portland, Ore., communist has suggested that it is a mistake for leftists to await domestic and international catastrophes which will make their revolution for them, and has noted in a Gramscian vein: "And here we have had the material foundation for the transition to socialism for 50 years. What has been lacking, and is still lacking, are the subjective requirements for making a revolution; and, in the first place, an organization with the will to make a revolution." This analysis however, has not been well received within the party, whose official Marxism tends to resemble a master train schedule with times, fares and stops already indicated, only no one is quite sure what train he is actually on – the express or the local.

While insufficient militancy has been the essential New Left criticism of the Red Left, the charge of conservatism is, to a degree, a cover for fundamental political differences which have nothing to do with militancy or the lack of it. The party chairman in Southern California, Dorothy Healey, draws an apt distinction between the "revolutionary left" and the "rebel left." The latter is introspective; it is less a political action group than a subculture intent on maintaining its identity and developing its cultural style in fashion, language, music and politics. What Tina Aptheker calls the New Left's "romantic revolutionary notions about violence and confrontation" are less political tactics than a form of self-expression – part of a cultural style. Demonstrations are psychodrama. Disruption is a display of physical and moral *machismo*. Never mind the effect; never mind the past or the future: Freedom Now! Get Out of Vietnam! Hell No, We Won't Go! The perfect union of utopianism and revolutionary romanticism is the currently voguish notion of "Resistance." In the Resistance, one can combine political action with moral purity. The important thing is to fail; to die nobly in the fight against fascism, while others destroy its imperialist foundations abroad. Success would be immoral as well as a bore. Notice how paunchy and jowly Ché Guevara was getting as economics minister in Havana. Notice also how lean and beautiful he was as a revolutionary in Bolivia. Had he succeeded, he would have been maximum leader, but paunchy and jowly again. Dead, he is one of our own. In the transcendent realm of a French film, Ché lives.

Communists young and old are serious about success. They are also notoriously sensitive to historical conditions and feel no compulsion to compress the revolutionary process into the next year or two. They cleave to a "mass line" which emphasizes the expansion of anti-war and anti-capitalist sentiment to as large a section of the American population as possible. Violent revolution is "not on the agenda now." They are confident enough of the socialist transformation of capitalism that they favor not only structural reform with an anti-capitalist bias, but social reforms which seem ideally designed to shore up corporate capitalism – guaranteed annual income, cradle-to-the-grave social insurance, reconstruction of the ghettos. "We communists reject the fallacy of 'the worse, the better' – the notion that increasing misery under capitalism ought to be a matter of indifference or even satisfaction to us, because this will spur the people to revolt against the present order. . . . Our struggle for socialism rests on no such misanthropic views" (draft of party program).

Although they certainly owe their relative prosperity to the war in Vietnam, communists really want to see it end. This desire is a little more selfish than they let on. Unlike the New Left, the communists do not consider the modernizing liberals the main enemy. Liberals are the enemy only when the left has developed to the point of readiness to take power. Then the liberals can get in the way. In the meantime liberals afford protection against the ultra-right which has several times in CP history almost destroyed the party. The liberals are not to be feared because their reforms cannot possibly resolve the contradictions in capitalism in any case. To the contrary, the danger is that their inevitable foreign policy failures will lead to an ultra-right reaction. In an article in the leftist magazine, *Liberation*, New York party chairman Gil Green noted that McCarthyism followed the communist revolution in China and the stalemate in Korea, and that John Kennedy was assassinated amid rightist revulsion at the Cuban revolution.

To guard against a similar rightist resurgence in the wake of the Vietnam fiasco, the party favors the construction of the broadest possible peace coalition. (This notion bears an obvious resemblance to the "pop front" strategy of the late thirties, but the CP no longer has the political muscle to make a coalition anything more than a coalition.) Unity on the left is one of the party's first principles of strategy. Its other general strategic principles are national coordination and tactical versatility. Thus for the anti-draft and black freedom movements, the party favors a nationally coordinated network of defense committees which would provide legal and political assistance to draft

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resisters and oppressed blacks. For the student movement: a nationally coordinated student strike. For the peace movement: a third-party presidential candidate.

Conceptions of electoral politics graphically illustrate the differences in political method between the Red Left and the New Left. For New Leftists, securing an independent base is the first axiom of radical politics. For the immediate future, they are inclined to view local community organizing and national electoral politics as disjunctive – either-or. Red Leftists understand the necessity of an independent base in the masses, but see local organizing and electoral politics as mutually invigorating and conjunctive – both-and. Communists will work for any forces which they consider historically "progressive," and that includes the "Dump Johnson" movement and the candidacies of blacks for political office. Thus, communists have done precinct work for black liberals – most notably the successful mayoralty candidates Carl Stokes in Cleveland and Richard Hatcher in Gary. In Southern California they have worked in the liberal California Democratic Council and actually have rather strained relations with the New Politics groups, the Peace and Freedom Party. Some years back, Jesse Unruh, the big daddy of state Democratic politics, attempted to purge the CDC of its small percentage of communists and failed. He was informed that they were too valuable as grass-roots workers (communists often complain that, as a result of their reputation for dedication, they get "stuck with all the shit-work"). Unruh need not have bothered. One young communist observes that the "CDC corrupts communists, not vice versa."

One of the more obvious sources of the tension between communists and New Leftists is the latter's occasional anti-communism. CP people are bitter about anti-communism among radicals which "might as well flow straight out of the mouth of Arthur Schlesinger." They are also inclined to think that the charge of conservatism leveled against them is merely a form of covert anti-communism designed to protect radicals from attacks from the right under more radical-than-thou pretenses. There is particularly no love lost between the party and Robert Scheer of the Bay Area's Community for a New Politics, who ran very well in a Democratic primary for the 7th Congressional District in California in 1966. Scheer was vociferous in his anti-communism although his campaign manager was Carl Bloice, a young communist who is now *The Worker's* Washington correspondent.

Anti-communist radicals reply with the charge that the party is soft on the Soviet Union. Young communists are increasingly restive about the party's failure in respect to the Sinyavsky-Daniel cases and reports of anti-Semitism, but although party leaders will criticize the Soviet Union privately, they maintain that public criticism would be stepping into the trap of cold war ideology. The party may eventually reverse this policy to appease its youth, improve its competitive position on the left, and, in an era of polycentric communism, demonstrate its national autonomy which was so severely compromised in the days of the Stalinist Comintern. The 1966 draft of the party program suggests such a line in noting the "tragic infringements on personal liberties" and "bureaucratic excesses" which occurred in unspecified socialist countries as a result of a "forced march" economic advance and the threat of foreign intervention.

Not only is socialism inevitable in the US, the party believes, but since it will finally come to fruition in a fully industrialized country under no threat of capitalist intervention, it will approximate original Marxist projections. This optimism imparts a certain expansiveness to the communist style. It is downright folksy in a proletarian sort of way. The one affectation is wearing a tie with a sport or work shirt in the tradition of the proletarian in Sunday dress or the old-left intellectual. In a meeting room at the party's national headquarters, a rambling structure in New York's garment district, hang a pair of Mongolian deer antlers which give the disconcerting impression of an Elk's Lodge. When a *Ramparts* editor interviewed New York's communists last year, he asked why the party had not endorsed the legalization of marijuana – an essential part of the New Left subculture but thunderously irrelevant to the context of communist politics. His host told him that "we have organizers who have Grandma Moses and Norman Rockwell pictures hanging on their wall."

The Communist Party's relations with the Black Left duplicate in major respects its relations with the New Left. After the party initiated the San Francisco Bay Area's Alliance for Black Unity – a coalition of Black Power groups – the celebrated Black Panther Party soon left the alliance as insufficiently militant. Although the party endorses armed self-defense, it does not favor armed guerrilla warfare. The "strength of the riots," according to black CP leader Roscoe Proctor, "was in their spontaneity. If militants attempt to organize armed guerrilla warfare now, the ruling class will annihilate the militant leadership." (The Alliance for Black Unity is therefore an educational and anti-draft organization.) The party supports black nationalism not as the final goal but as a means of achieving solidarity among blacks, who are oppressed partially on the basis of their common skin color. But no revolutionary theory in the CP view can ignore the class origins of oppression, and no revolutionary practice can fail to ally itself with the white working class. Of the militant black organizations, the CP looks with

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most favor on SNCC, whose analysis parallels its own at certain points. At the recent Black Youth Conference in Los Angeles, for instance, James Forman noted the limitations of a purely "skin analysis" or a purely "class analysis" and emphasized the concept of "colonization" as the proper marriage of the two. In a view similar to party criticism of "petit-bourgeois nationalism," Forman also warned against "reactionary black nationalists," such as the Blackman's Volunteer Liberation Army, which recently tried to shake down SNCC in Washington, D.C.

The party has some contacts with SNCC, although the relationship is not intimate. In Havana, Stokely Carmichael is said to have accused white communists of having black maids. Similarly, although the party has never been anathema in black society as it has been in white, neither has it had any great organizing success in the ghetto. It is making a few initial efforts – notably under its own name in Harlem to demand that local black workers be recruited for the construction of a 30-story government office building. Since the party rejects the notion of black revolution now, it is inevitable that it be somewhat out of phase with present black nationalism. And since black revolutionaries emphasize solidarity with colored races and forces outside of the country who will do the major revolutionary work against the US government, and since they less seriously anticipate successful revolution than demand a revolutionary policy as a gesture of existential heroism, the black revolution is in fact a black resistance. Recently, Huey Newton, a leader of the Black Panther Party, was charged with shooting two police before he himself was critically wounded and arrested. For militant blacks what is important is not that he went down; but rather, that he went down fighting.

Communists are relatively sanguine about radical developments in their direction in the US. Although the leadership of the labor movement endorses the war and attends tea parties at the White House, Red Leftists detect symptoms of discontent in labor. Rank-and-file organizations are appearing to contest union bureaucracies, black caucuses to challenge discrimination, and peace groups to oppose the war. Labor communists are working in these grass-roots organizations and had a role in the development of the Trade Unionists for Peace. In the unions generally, the heat is off communists. Anti-communist clauses are not enforced, newly formed unions do not even include such clauses, and the section of the Landrum-Griffin Act making it a criminal offense for a communist to be a union official was recently ruled unconstitutional.

Communists also expect the New Left to come around to the working class as *the* agency for social change in America. Red Leftists point out that the New Left, disdainful of labor, has been confusing the labor movement with the working class, three-quarters of which is unorganized. They believe that the New Left will eventually see that community organizing, the results of which have been most unimpressive, has limited potential and that powerless people can best be organized around the job.

These projections are not entirely unfounded. The New Left – namely, Students for a Democratic Society – *has* been coming around to Marxism. Less is heard of the "dispossessed" as an agency of social change and almost nothing is heard of the cult of anti-ideology. There is much talk about a "post-Marxist" analysis and the "new working class" consisting of white collar workers and technocrats. Communists expect that eventually it will again be the plain old working class, whether of blue or white collar. In the meantime, Marxism is already the favored analysis of what is considered US imperialism abroad. There is also considerable interest in a more highly structured, nationally coordinated organization, particularly as students, once they graduate from their university base, tend to drift out of the movement altogether. All this redounds in some degree to the benefit of the Communist Party which is Marxist and structured. SDS has adopted a nonexclusion policy toward communists and it was in fact the party which played a leading role in the creation of the SDS chapter at Harvard. An SDS faction in Chicago, numbering several hundred people, is in contact with the party and wishes to regularize its relations with it.

It would be a serious mistake, however, to conclude too much from these trends and examples. The dominant politics on the New Left are the bizarre combination of utopian anarchism and revolutionary romanticism. This was demonstrated at the Chicago New Politics Conference. In the Berkeley radical movement, the influence of the party has actually declined since the Free Speech Movement, when it was significant. In peace, anti-draft, and black "liberation" coalitions, the representation of the party is rarely greater than five to ten percent of the whole. There is no party magic which enables it to control every organization in which it is represented, especially since it is dealing in this decade with tough leftist competitors and not only with well-meaning idealists and pacifists.

While the drift to Marxism and disciplined organization in some sections of the New Left is genuine, the Communist Party has no monopoly on Marxism and organization. There are already some fifteen Marxist factions on the Left. Rather than a great revival of the CPUSA, it is probable that out of a faction of SDS or apart from SDS on the New Left will grow a disciplined, Marxist, pro-revolutionary organization.

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Stanley Kauffmann on films

Grace and Disgrace

Marco Bellocchio is an Italian director, now 28, whose second film is his first to get American theatrical release. *China Is Near* is not about East and West; the title is a Communist slogan (the Italian wordplay is lost in English – *La Cina è Vicina*) which, during the film, is painted on Socialist Party headquarters. Nevertheless the picture *is* involved with two worlds – of art.

China Is Near (Columbia)
Wild 90 (Supreme Mix)

It sets up a tension between symmetry and asymmetry and between the elements of form and of style. Like many of the world's young filmmakers, Bellocchio has devoured recent cinema developments, particularly French ones; but in this picture the quick-darting camera of impulse, the swift editing that tries to realign logic, the new heel-kicking about the fact of filmmaking itself – all these have been applied to a story that might have been contrived by Goldoni. The effect is something like swooping back and forth in a super-jet over a formal 18th-century garden, piecing the landscape together in freeform bits. A good deal of the time it is interesting, but Bellocchio-Goldoni finally has to face down Bellocchio-Godard and beat him.

A wealthy middle-aged brother and sister live in a large house in central Italy. (From a license-plate, I take the locale to be Bologna and environs, which also fits the radical politics of the story.) He is a professor who is asked to run for a minor office by the local Socialists. They assign a campaign manager to him; the manager is the secret lover of the professor's secretary, with whom the older man is hopelessly infatuated. The professor's well-ripened sister soon gets the manager into her own bed, and when the secretary discovers this, she gives herself, in revenge, to the importuning professor. The comedy is always oblique and dry – never drier than the scene, early one morning, when the manager leaves the sister's bed as the secretary leaves the professor's bed, and these two – themselves lovers – finish dressing in the hall and steal away together out of the house. Both women get pregnant and eventually resign themselves to having their babies. The two couples will apparently live together; what their sex life will be in that house is anyone's humid conjecture. But could any story, or conclusion, be morally neater, more thoroughly based in cheery 18th-century rationalism?

There is also a fifth prominent character – the younger brother of the wealthy pair, a supersober communist who moves around the quadrilateral gavotte like a mundane Savonarola. The best character touch in the film is that this boy himself is satirized, rather than being used as a heavy truth-symbol posed against falsities.

Presumably because of his youth, Bellocchio has felt over-obligated, I would say, to employ up-to-the-moment methods. They mislead us, they make us expect a different kind of film. When a nice old plotty comedy begins to be visible, we feel a little irritation with the somewhat irrelevant Nouvelle Vaguery. An older director – Monicelli, Comencini, or the earlier De Sica – would have gone straight for the story and wrung the last drop of juice out of it. Bellocchio's approach produces some longueurs. At its most germane, it makes comments that would be more difficult in traditional style: telling us that the truth and foolishness of human feelings are perennial; that politics – even radical politics – shares both the truth and the foolishness, perennially. At its most disjunctive, the style seems just cinematically hip.

I saw Bellocchio's first picture, *Fist in His Pocket* at the New York Film Festival a few years ago, but will withhold comment until its public release, which is due soon. But I cannot withhold comment on the aptness of the director's name. Even an Italian Dickens would not dare to call a film director Mr. Beautiful Eye.

Despite the slovenliness and arrogance in his recent books, Norman Mailer has still managed to make clear that there is importance and pertinence in him. No matter how childishly or aggressively or vulgarly he behaved on paper, he has had an innate literary power that he could not shake off. He has no such power as filmmaker, film editor, or actor. His film, *Wild 90*, in which he stars, has only the slovenliness and arrogance.

I cannot say that Mailer was drunk the whole time he was on camera. I do not know it for fact; perhaps it is only colored water that he keeps swilling. I can only hope that he *was* drunk. As for Mailer the editor and director, I hope that he was even drunker. Did he really see those scenes later – possibly when sober – and want to preserve them? It is a frightening thought to anyone who often admired the past Mailer.

Three men – one of them Mailer – pretend to be gangsters hiding out in a warehouse. From time to time they are visited: by the wife of one, by a boxer and his German shepherd, by Mailer's wife. Most of the conversation for 90 minutes (hence the title) is improvised, obscene, fake gangster talk. It is not like Michael McClure's gutter language in *The Beard*, which acted like a wire brush on some of our pretenses. This film's language *degrades* obscenity.

There will be sages, of film and general culture, to tell us what this picture means. In my view, it is a conversation in a treehouse or a shanty by three boys who are hiding out from their mothers and are cramming all the dirty words they can think of into the 90 minutes before Mother finds them. Along with the incessant "daring" talk, they go bang-bang with empty guns, they punch chairs, they make believe they are tough gangsters, and so on. All of us have done it, but most of us have either got rid of it or have it reasonably under control, by about the age of 15.

(Continued on page 40)

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Books and the Arts

Frankfurter and Friend

by Alexander M. Bickel

Franklin D. Roosevelt and Felix Frankfurter, both fresh out of law school, met casually in New York in 1906, and saw something of each other in Washington during the First World War. For the next ten years, Frankfurter taught law, published scholarly books, wrote for *The New Republic*, and enhanced a reputation as a radical by coming to the defense of Sacco and Vanzetti.

Roosevelt and Frankfurter
Their Correspondence, 1928-1945
Annotated by Max Freedman
(Atlantic-Little, Brown; $17.50)

Roosevelt ran for Vice President in 1920, got polio, and then fought his way back to physical vigor and to a place in national politics. Both men were enthusiastic supporters of Al Smith, but there was little contact between them until Roosevelt's nomination for the governorship of New York in 1928, when Frankfurter, in effect, offered help. Roosevelt was elected, and at this time a continuous correspondence began that was to end only with FDR's death. What had been an acquaintance quickly ripened into warm friendship.

It was a friendship significant in American history. Through Frankfurter's access to Roosevelt himself and to many others who knew that he had the President's confidence, the friendship affected national policy for some twelve years. And it placed Frankfurter on the Supreme Court – although perhaps such an appointment could have come about anyway – there to exert a major influence on the law of the American Constitution for well over two decades. Yet it is difficult to sense in this correspondence just what kind of a relationship it was.

Frankfurter was a Michelangelo of friendship. He used all possible materials and tools. And as an artist, he was a perfectionist. Each work of friendship received all he had, which was enormous, of vitality, imagination, encouragement, intellectual resources ranging from clippings to original ideas, and love. Franklin D. Roosevelt is Frankfurter's best-known work, but by no means his only one or his finest. FDR was an infinitely more closed, more mysterious person, more ulterior. Yet he responded. "You stimulate me enormously," Roosevelt wrote after a visit by Frankfurter to Albany in 1932. "Repeat the dose again." That very probably describes the friendship on the Roosevelt side. But there was also affection. When at the start of Roosevelt's Administration in 1933, Frankfurter declined an offer of the Solicitor Generalship, FDR wrote him: "You are an independent pig and that is one reason why I cannot blame you!"

There are men, of course, who can render their own quality and the quality of their relationships on paper. Neither FDR, nor Frankfurter, much the more prolific partner in these exchanges, was such a man. In a sense, Roosevelt, who conveyed less of himself under any circumstances, did better. Frankfurter was undoubtedly one of the great letter writers of his time, if volume counts, and his correspondence circled the world. In his formal writings, which run to hundreds of thousands of words on and off the Supreme Court, Frankfurter sometimes produced convoluted prose, but he was often forceful and lucid, a phrase-maker, and sometimes eloquent. Whoever heard him talk informally will remember the power, the emotion, the wit, the constant movement over a full scale – analytical discourse, enthusiasm, indignation, laughter, all in quick succession. If there were traces of sentimentality or of bombast, they were lost in the rapidity and variety of the movement. He was an entrancing, enveloping conversationalist, utterly self-revealing, but controlled. The conversation was his moment of artistry in the friendship. And for the friend who could hear Frankfurter talking as he read his letters, they were an extension of the conversation. But these letters, written to another and now read in cold print, are something else again. Marvel of marvels, the quick and warm Frankfurter is awkward and stiff and sentimental, merely sentimental – although, to be sure, there are exceptions among the true letters, and many of the longer ones, dealing entirely with substance and done with care, resemble the formal writings more than anything else.

And so this correspondence is not the friendship. One aspect of it, however, may be thought to emerge. Frankfurter heaped praise on Roosevelt. Max Freedman, the editor and annotator of the correspondence, for whom this volume was in every sense, quite obviously, a labor of love, says that sometimes the flattery was laid on with a trowel. It was, and it reminds irresistibly of Disraeli and Queen Victoria, except that somewhere, somehow, Disraeli's bouquets tended ever to exude a whiff of irony. But Mr. Freedman adds quite justly that if Frankfurter all too often compared Roosevelt to Lincoln, it was because to the end of his life he thought him comparable. And Roosevelt welcomed, wanted the praise, no doubt, as Mr. Freedman says, needed it. "These letters of praise were the ones which Roosevelt was swift to answer." They are scarcely the most pleasant part of the book. Even if they were more measured, however, they would still be the sort of thing that cannot be expected to please anyone but the giver and recipient. They are the penalty for reading other people's mail.

Moreover, the analogy to Disraeli and Queen Victoria is an apt one below as well as on the surface. Disraeli was not flattering just an elderly lady who was a bit peculiar, but the Queen and Empress, the symbol that gave meaning to his whole political life. So with Frankfurter who, as has often been remarked, was a passionate, ele-

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mental patriot. The letters abound with fervent references to "our country" and "our beloved country." Roosevelt's Presidency, certainly during his first and third terms, was a time of crises that were seen as gravely threatening national survival, and that appear no less serious in retrospect. For Frankfurter, Roosevelt was the embodiment of all hope for national survival, and the hope of national survival in the democratic faith not only surpassed all other aspirations for Frankfurter, it was the sum of them. To such a symbolic figure did this patriot, who worshipped at no other altars, address his words of praise, and it is not too much to say that they have the sound, sometimes, of incantations familiar to the rituals of other religions. Personally, on a different level, so to speak, Frankfurter was not altogether uncritical of his friend. Thus in October 1937, just after the Court-packing fight, Frankfurter sent Roosevelt a searching, friendly but rather severe letter from William Allen White. There is reason to believe that Roosevelt did not take kindly to it, and Frankfurter was not often a conduit for such criticism. But the letters are not conclusive on this score.

Nor does this correspondence demonstrate the full measure of Roosevelt's reliance on Frankfurter, or of Frankfurter's impact on the New Deal. There were, after all, countless visits with the President, and voluminous oral and written advice to subordinate officials, in the Cabinet and below, well below. This is far from saying that the correspondence is without value for the historian. It shows the range of issues on which FDR sought Frankfurter's counsel, all the way from finding a

*The Naked Ape**

by John Updike

The dinosaur died, and small
  Insectivores (how gruesome!) crawled
From bush to tree, from bug to bud,
  From spider-diet to forest fruit and nut,
Developing bioptic vision and
    The grasping hand.

These perfect monkeys then were faced
  With shrinking groves; the challenged race,
De-Edenized by glacial whim,
  Sent forth from its arboreal cradle him
Who engineered himself to run
    With deer and lion –

The "naked ape." Why naked? Well,
  Upon those meaty plains, that *veldt*
Of prey, as pellmell they competed
  With cheetahs, hairy primates overheated;
Selection pressure, just though cruel,
    Favored the cool.

Unlikeliest of hunters, nude
  And weak and tardy to mature,
This ill-cast carnivore attacked,
  With weapons he invented, *in a pack.*
The tribe was born. To set men free,
    The family

Evolved. Monogamy occurred.
  The female – sexually alert
Throughout the month, equipped to have
  Pronounced orgasms – perpetrated love.
The married state decreed its *lex*
    Privata: sex.

And Nature, pandering, bestowed
  On chaste ears erogenous lobes
And hung on women hemispheres
  That imitate their once-attractive rears:
A social animal disarms
    With frontal charms.

Erotically aswim, the ape
  To give his lusts a decent shape
Conceived the cocktail party where
  Unmates refuse to touch each other's hair
And make small "grooming" talk instead
    Of going to bed.

He drowns his body scents in baths
  And if, in some conflux of paths,
He bumps another, says, "Excuse
  Me, *please.*" He suffers rashes and subdues
Aggressiveness by making fists
    And laundry lists,

Suspension bridges, aeroplanes,
  And charts that show biweekly gains
And losses. Noble animal!
  To try to lead on this terrestrial ball,
With grasping hand and saucy wife,
    The upright life.

* *The Naked Ape*, by Desmond Morris (McGraw-Hill; $5.95)

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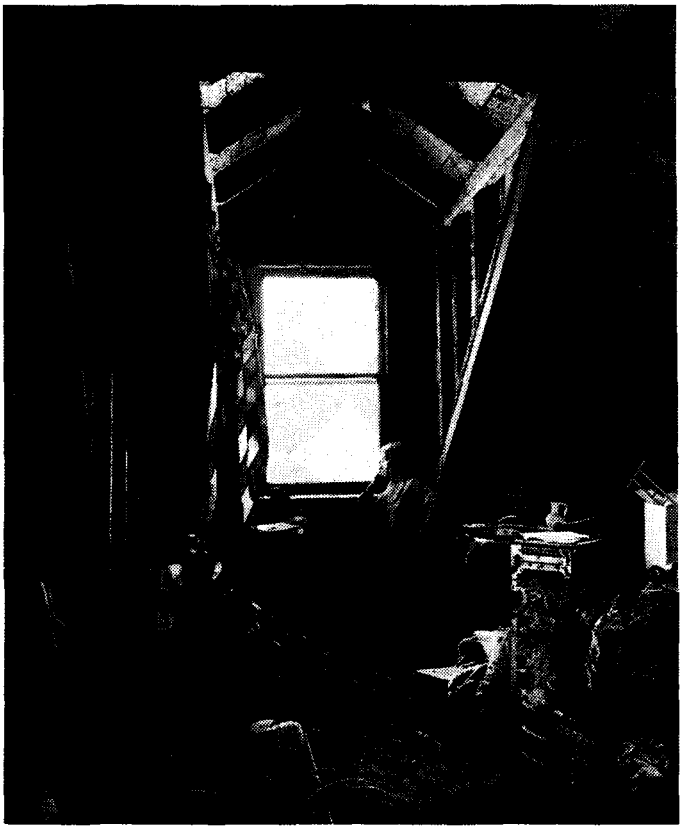

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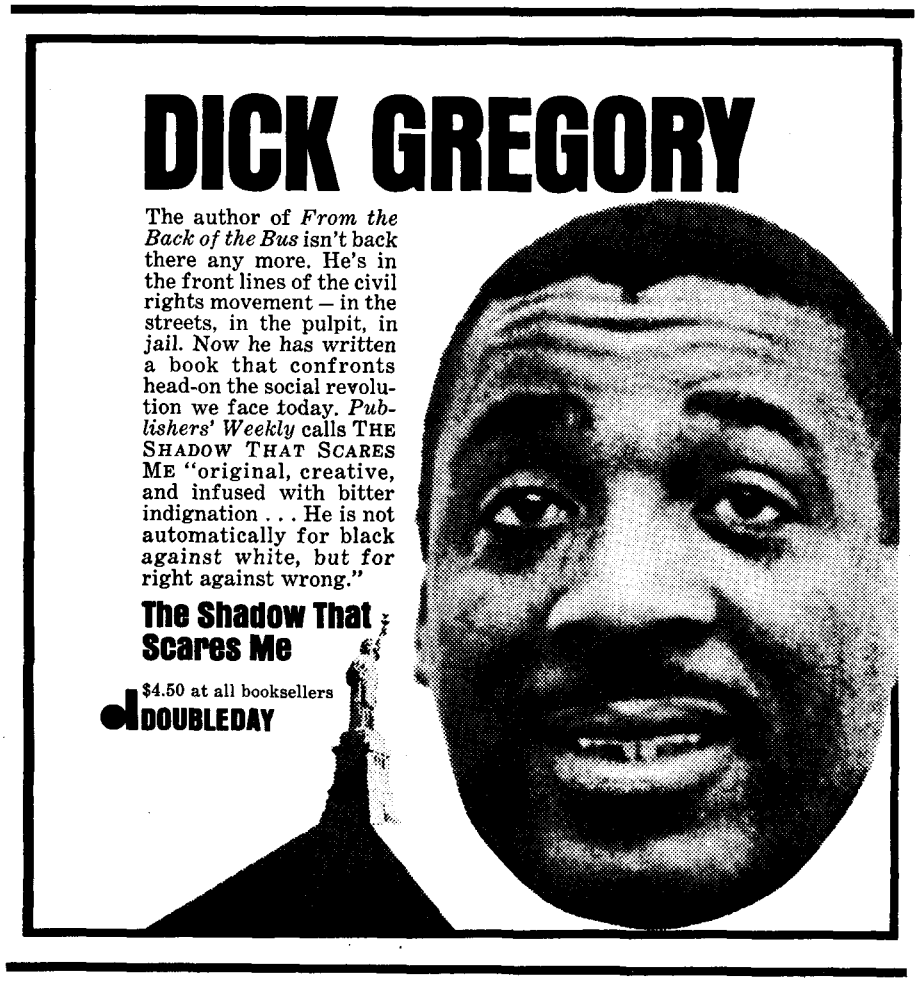
formula for a reply to the incredible rudeness of ex-President A. Lawrence Lowell of Harvard on the occasion of that university's Tercentenary, to the development of atomic energy, which Frankfurter knew about at least as early as the summer of 1944, although the Vice President who succeeded Roosevelt, and who had earlier presided over a Senate committee on the conduct of the war, was in total ignorance when he took office.

One of the prime events of the era was the Court-packing fight of 1937. Frankfurter never said a public word for or against FDR's Court-packing proposals. For the benefit of the Senate committee that considered his nomination to the Supreme Court early in 1939, he prepared (but did not use) a statement indicating that he had never publicly expressed an opinion, and that he would not do so then, and perhaps also suggesting without quite saying, as Mr. Freedman thinks, that he had in fact been neutral privately as well. So he had been, in the hearing of all his friends and associates, and so he remained to the end of his life. If he ever expressed himself on the subject to any of the hundreds of people with whom he talked and corresponded in varying degrees of intimacy, the secret has been well kept, so well kept that it is reasonable to suppose there is no secret. I once heard him say, as no doubt others did also, that had he disapproved of the President's proposals, he could still not have registered public opposition, because the force and effect of such an opposition would have derived not from its intrinsic persuasiveness, or from Frankfurter's own personal authority, but from the widely-known fact that he was a close friend and adviser of the President. Even a man so entirely committed to the President, it would have been said, so personally committed, has left him on this matter. The blow would have been extremely damaging, perhaps decisive, and its effectiveness would have been a function of Frankfurter's friendship with the President. That, Frankfurter thought, would have made it an act of despicable disloyalty. Now on the basis of this correspondence, Mr. Freedman suggests that Frankfurter was "a secret partisan while wearing the disguise of public neutrality," and that "this discrepancy weighed on Frankfurter's conscience." But it is really not quite as bad as that.

To understand Frankfurter's position, it is necessary first to recall the acrid relations between the Court and the Roosevelt Administration. At least two Justices, McReynolds and Butler, were violently hostile to the President and all his works, and as Paul A. Freund has recently shown, they did not hesitate to vent their hostility in open Court on lawyers arguing the government's cases. More often than not at crucial junctures, these two Justices gathered a majority of the Court about them, and if the government won, it was by the narrowest of margins. Not since the Jeffersonians contended against Federalist judges of the stripe of Samuel Chase, whom they attempted to impeach, had a national political movement found the Court so provocative and frustrating. There those Justices sat, and after a full term in office, FDR had not had an opportunity to make a single appointment. Moreover, the judicial attitude with which the New Deal was colliding was nothing new. It had prevailed for at least twenty years, during which many people, Frankfurter included, had been bitterly critical of the Court. The pages of this journal, to which Frankfurter contributed through the 1920's, are sufficient proof that the criticism was not polite or academic, and that critics like Frankfurter were on the verge of despair. The crisis of the Depression heightened feelings against the Court. When men thought that the choice was between reform and a fascist or communist revolution, and that the Court would balk reform, it is no wonder that they were angry, and that they toyed with radical solutions to the problems of judicial obstructionism.

In the 1920's, Frankfurter and Justice Brandeis were both of the view that the Due Process Clause of the Fourteenth Amendment should be repealed. In the spring of 1935, Frankfurter was advising Roosevelt to run in 1936 on a program of constitutional amendment. This was preferable, he counseled, to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a general attack on the Court, which would call forth "traditional loyalties the Court is still able to inspire." Early in February, 1937, Frankfurter learned of the Court-packing plan when it was publicly announced. In common with the rest of the country, he was taken completely by surprise, although FDR had warned him the previous January of "an awful shock in about two weeks." Knowing of Frankfurter's probable doubts, FDR did not seek his advice. Frankfurter reacted carefully. The momentum, he wrote FDR, "of a long series of decisions not defensible in the realm of reason nor justified by settled principles of Constitutional interpretation had convinced me, as they had convinced you, that means had to be found to save the Constitution from the Court, and the Court from itself." There was no easy way, no way free from risks, and Frankfurter professed "deep faith in your instinct to make the wise choice. . . ." The wise choice, he concluded, was one that would "maintain all that is good in the traditional democratic process." And that was all. No expression of opinion as to the choice FDR had actually made.

Roosevelt then wrote at unaccustomed length, defending his choice, and ending with a request to Frankfurter for help. It was a specific request. Roosevelt wanted material and drafts dealing with the past misdeeds of the Supreme Court, as both he and Frankfurter regarded them, for the immediate purposes of a forthcoming fireside chat, and presumably for use also in later statements and speeches. Frankfurter complied, ably and convincingly; he was saying what he had been saying and writing for nearly a generation. But not a word dealing with, or in any way defending the specifics of, the President's proposals. If indeed he regretted those proposals, Frankfurter in these letters never said otherwise. There was never a word of criticism, never any advice to modify the proposals, but never a word, privately any more than publicly, commending them as such. One short letter from FDR gives some slight indication that the President would have felt free to call upon Frankfurter to speak publicly, presumably in support of the proposals. But there is no evidence that Frankfurter would have done so, because the President never called upon him; the occasion never arose. Mr. Freedman says that Roosevelt exacted from Frankfurter by telephone a promise to maintain public silence, and that he told him that he wanted him out of this fight, because he hoped eventually to put him on the Supreme Court. But Frankfurter, as he later said to me and no doubt to others, had ample reason, grounded in his perception of the demands of loyalty, to keep silent anyway. Characteristically, although he could well understand how many of his own friends opposed the President's plan, as did many prior supporters of the President, when Herbert Lehman, who had a particularly close relationship and identification with Roosevelt, came out in public opposition, Frankfurter wrote: "Some things just aren't done – they violate the decencies of human relations and offend the good taste and the decorum of friendship."

There is the reason for Frankfurter's silence. There was no duplicity about it, no real discrepancy between the public neutrality and the private convictions – whatever they might have been; and conceivably Frankfurter harbored no more than slight misgivings about certain aspects of the President's proposals – no inconsistency between the public and private silence of 1937 and the equally firm private and public silence he always maintained. The problem that is raised by the episode is rather a different one. By 1937, Frankfurter was a national figure of very large dimension, the foremost scholar of the Constitution, perhaps the foremost academic authority on government. As such, he had a public obligation to speak, to give his own, detached assessment. He failed to discharge this obligation for reasons of politics and of personal relations. Perhaps the episode argues that academic personages should not become too closely involved with the governments of their day, certainly not so involved that considerations of "the decencies of human relations" control their public utterances. But it would be an extremely rash judgment of the friendship between Roosevelt and Frankfurter, and an unjust one, to conclude that this default in a professional obligation on Frankfurter's part to which it led outweighs its important and beneficial results for the nation. One draws from this episode, therefore, not some rigid line of conduct, on the wrong side of which Frankfurter is placed, but merely a caution.

Among the benefits which the friendship might have yielded was the appointment of the late Judge Learned Hand to the Supreme Court. It was a near thing. Frankfurter fought for it like a lion, at his best, resourceful, persuasive, eloquent, generous. But he failed, as FDR took the trouble gently to inform him. On the other hand, the suggestions of the team of Henry A. Stimson and Robert P. Patterson for the War Department, and of James F. Byrnes as war-time assistant to the President, were accepted. And so, in this or that degree, was much other helpful and ready advice. One need but read some of the crisp, lucid, meticulously well-informed, incisive and wise memoranda of Frankfurter to know why, to know his value. In the end, the correspondence carries one message. Frankfurter was a rare person, and FDR knew it.

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Universal Scandalmonger

by Thomas Rogers

After doing the Vatican, the Freemasons, and the Knights of Malta in previous novels, Mr. Peyrefitte apparently found his appetite for ritual, esoteric lore, and genealogy whetted rather than satisfied. He has therefore turned to the Jews. And one can see how he set to work; first he assembled such references as Paul Lévy's *Jewish Names in France*, the *Semi-Gotha* (a record of European noble families with Jewish inheritance) and the *Guide to Judaism in Paris*. Then, since he was also interested in anti-Semitism, he added back issues of *l'Action Française* and *Au Pilori*, as well as the Nazi catalogue of *Jews in France*. Finally, he acquired a Talmud and, when all was ready, he plunged with enthusiasm into this heterogeneous material, and sank.

The Jews
by Roger Peyrefitte
translated by Bruce Lowery
(Bobbs-Merrill; $7.50)

The Jews has floated to the surface from this contretemps, buoyed up, one supposes, by the woodenness of its construction. It is not a novel, it is a series of boxes built to contain the results of Mr. Peyrefitte's researches. In the first box we have the Paris Hasidic community of Asher Aronowitz who is preparing for his Bar Mitzvah. Next we are in the aristocratic world of Osmonde de N. who is preparing to convert to Judaism in order to marry her lover Seth de Goldschild, a cousin of the Rothschilds. Then there is an anti-Semitic Jesuit, and then a wandering Jew, and so on and on. Linking these characters is the writer Georges Sarre, the lover of Françoise de N., Osmonde's anti-Semitic mother. Sarre, who is engaged in research on the Jews, is a very convenient character. If there is anything Peyrefitte has dug up that he can't introduce in any other way, he has Sarre get interested in it. "To get an idea of Jewish activity in the realm of money, Sarre consulted an important banker. . . ." Ten pages of random information follow. Nothing is wasted, nothing is irrelevant, though again nothing is relevant. The book is an ill-digested hodge-podge of often repetitive information. On pages 1, 48, and 293 we learn that the Bourbons are Jewish because they descend from a Jewish niece of the anti-pope Anacletus II. The same anecdote about Paul-Louis Weiller is repeated on pages 51 and 154. "This impressive mine of carefully gathered information," the dust jacket says. Or, as Lucky Jim might put it, "This *what* mine of carefully gathered *what*?"

It is too bad, because under the cartloads of rubbishy research there are elements of drama. The Hasidic part of the novel is pure make-believe and must be discarded, but with Seth and Osmonde, Peyrefitte comes closer to a milieu he understands. There, almost in spite of himself, he constructs some good scenes, particularly when the Baroness de Goldschild undertakes to instruct Osmonde in the mysteries of niddah. But even in this part of the novel the drama tends constantly to flatten out into informative talk, and, after flirting for hundreds of pages with the crucial confrontation between Osmonde and her anti-Semitic mother, Peyrefitte inexplicably skips the scene. Instead we have a conversation between Sarre and Françoise. Sarre has sided with the young lovers, arguing that Osmonde's conversion and future marriage represent a bold triumph of love. Then, watching Françoise cry, he understands that, "once again he had helped young people break their chains, but now he was on the side that got the back-lash. . . . The triumph of love no longer kept him from seeing a mother's defeat." The passage is interesting and relevant, but it is not an adequate substitute for the scene that has been omitted. The drama in this unsatisfactory book is as unfocussed as the research.

When it appeared in Paris, *The Jews* created a sensation and sold well. It is easy to see why. A number of living people are presented under their

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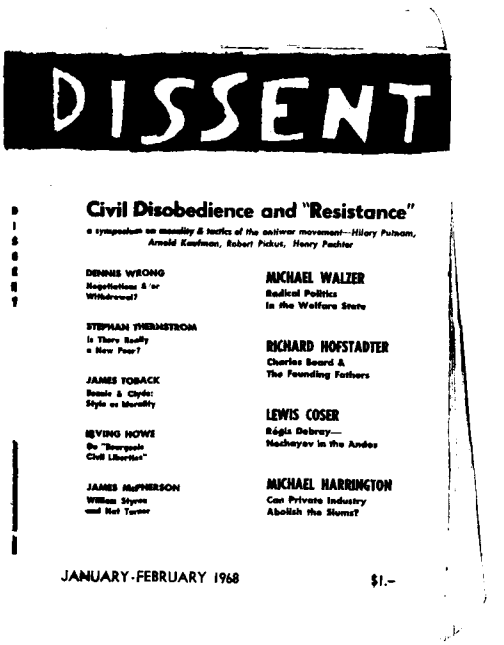

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own names. The Rothschilds are present, Françoise Sagan has a walk-on role . . . it is like those costume movies in which Charlton Heston turns to a sinister looking man and says, "Machiavelli?" Only in this case Sarre turns to Mendès-France and says, "You see what this means. The Ducs d'Alençon are descended from Philip III, the Bold. . . . But *you* go farther back; *you* are a Capet of the younger branch." In the novel Mendès is unmoved by this revelation that he has royal blood, but in life, of course, he must have bought *The Jews* and talked about it.

The talk, both in Paris and this country, has turned on the question of Peyrefitte's real attitude towards the Jews. Ostensibly the novel is philo-Semitic; Sarre, the point of view character, is an enthusiastic admirer of Jewish life who spends much of his time attempting to destroy anti-Semitism by showing that literally everyone is descended from the Jews. But this is not the whole story, for Sarre's mind is really the mind of an anti-Semite turned inside-out. He resembles those 19th-century New England philo-Semites Edmund Wilson has written about in his essay "The Jews." After describing the way in which James Russell Lowell used to delight in discovering a Jewish presence in every aspect of Western culture, Wilson remarks that this is a "state of mind that leads people to believe in the 'Protocols of the Elders of Zion,' in a Jewish international conspiracy to dominate the civilized world," and he goes on to show how in the case of John Jay Chapman an obsessional glorification of the Jews turned almost overnight into a neurotic hatred of them.

Not only is Sarre's admiration for the Jews essentially unbalanced, but the reasoning by which he proves we are all descended from Jews is completely illogical. This makes it difficult to believe that Peyrefitte takes Sarre seriously, or means for us to take him seriously. Perhaps this is yet another modern novel with an unreliable point of view character? Thus one comes full circle, and, just as Céline's apparently anti-Semitic fiction has been defended as essentially philo-Semitic because his narrators are such louses, so it can be argued that Peyrefitte's apparently philo-Semitic fiction is really anti-Semitic because Sarre is such a nut.

Against this argument, one must take account of the possibility that Peyrefitte is as crazy as Sarre. There is certainly a touch of madness in *The Jews*. Sarre's long conversations which are nothing more than a catalogue of Jewish names so grotesquely unreadable as to suggest that the author has genuinely lost his grip and allowed Sarre's obsession to become his own. And yet this possibility is not in keeping with what one knows about Peyrefitte. He is perhaps not a wise man but has never seemed to be a lunatic. How, then, can one explain his apparent identification with Sarre who has written about the freemasons, who is investigating the Jews, who is, in short, molded on Peyrefitte himself?

The explanation that appeals to me is that Peyrefitte is a sort of adolescent moralist who believes that the only sin is to be ashamed of or to conceal the facts about oneself. A few years ago he created a sensation in France by accusing an eminent novelist of concealing certain youthful homosexual liaisons. For Peyrefitte, the scandal was not in the homosexuality, but in the fact that it had not been publicly acknowledged. It seems to me that *The Jews* is simply a continuation of this line of thinking in which the whole gentile world is now taken to task for concealing its Jewishness. In Peyrefitte's mind Jewishness has become a kind of symbol of any unacknowledged fact about oneself. Understood in this way, Sarre's crazy belief that we are all Jews makes some sense, and Peyrefitte emerges as neither an anti-Semite nor a lunatic. He is simply a universal scandalmonger, and a bad novelist.

NEXT WEEK

Richard Gilman will become Literary Editor of The New Republic. His offices are at 17 Charleton Street New York, N.Y. 10014

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TELEVISION

Seeing the Other Side

The week before *North Vietnam*, a documentary film, was to be shown on educational TV stations around the country, 33 congressmen, none of whom had seen the film, damned it as a piece of pro-Hanoi propaganda. They protested to John F. White, president of National Educational Television, that they "cannot understand how an organization supported by tax-exempt contributions that is supposed to be serving educational ends can justify acting as a conduit for enemy propaganda." The congressmen – 27 Republican representatives, six Democrats – based their description of the film on that of Radio Hanoi, which called the documentary "the first full-length film of the United States imperialists' crimes in their air raids against the DRV." Stripping away the embellishments, what Hanoi said was, "first full-length film on the effects of the bombing." It is.

NET showed the documentary January 22. It was filmed last spring by Felix Greene, on commission from CBS News and *The San Francisco Chronicle*. The newspaper wanted words, the network wanted film; Greene, a British subject, had permission to film in North Vietnam on the strength of an earlier documentary he had made, called "Inside China." CBS later decided not to show what Greene brought back from Hanoi; instead, it took only a few minutes for a Walter Cronkite news program. Greene then sold the film to NET, which was to make a shorter version of it, and put his full-length edition into a moviehouse in New York.

For the broadcast NET sliced the 185-minute show down to 49 minutes, cutting out a number of bland interviews with Prime Minister Tran Van Dong, a doctor, a nurse, an Army colonel, and a pretty young textile worker who said she was confident her country would survive, since it had survived the Chinese, the Japanese, and the French. The cuts, an NET producer said, were made with Greene's approval, not to weaken the film but to cram it into one hour. Indeed the film is stronger without the interviews.

NET officials, whose livelihoods had been threatened by the congressmen – "the public has a right to ask that NET management be turned over to men who understand that the public interest is not served by the dissemination of half-truths and lies to confuse the American people for the benefit of our enemies" – treated their property as a hot potato, as if it were what the congressmen, citing Hanoi authority, claimed it was. NET got Robert Scalapino and David Schoenbrun to discuss for 70 minutes whether or not it was propaganda; they disagreed.

Since NET depends largely on handouts, private and corporate, it was politic to enshroud Greene's work in prophylaxis. Nevertheless, it took guts to show the film under any conditions.

NET, with the *NET Journal* documentaries, has often shown itself willing to offend in order to bring an important story to the public. But since the days of Edward R. Murrow, the commercial networks have seldom dared to run any such risk. Nor do they run documentaries made by people not directly on their payrolls, except for National Geographic treatises on natural history.

North Vietnam shows the Tonkinese as cheerful and confident. The younger ones, other than those hospitalized with "football" wounds and other effects of CBU bombing, are always smiling. You might deduce from this that they are content to be struggling for survival under the direction of a totalitarian regime. Everywhere Greene turned his camera – and he says he could shoot anything he wanted, except for military installations, with no censorship – we see faces that are anguished or sullen or questioning, other than those in makeshift hospitals pitched in the countryside after the destruction of the city hospitals. Here a buffalo boy lies swollen with the "football wound," belly-distending effect of the little anti-"personnel" darts; he stayed too long by his buffalo after the beast had caught some highflying hunter's eye. Here's another boy with a chunk the size of a pomegranate burned out of his upper arm.

Everybody else is serene. A troop of white-helmeted Voluntary Youth Brigade whistle like Disney's Seven Dwarfs while they repair an "interdicted" railroad; another air-raid alarm sounds, they scatter to cover; at the all-clear they leap back to work and pick up the tune where they left off. Small children glad to be at school, an open-air shed to which they'd been sent after their city school was blown up, scurry to nearby earthen trenches when the planes come and minutes later dart back to their books. In Hanoi, people hunkering beside the molded concrete manholes that stud every yard of ground in the city, smile at the sound of ack-ack.

All that good cheer is disconcerting; it *must* all be staged. Maybe there's a cadre with a police whistle standing

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behind Greene's back. Or maybe people surrounded by agitprop posters tend to impersonate them, as Belmondo did Bogart. But then it strikes you something's wrong with this notion. Smiles, in the iconography of revolution, are reserved for celebrations of victory, of peace; for people still at war, the genre demands solemnity. Now if the people in the film were solemn, yes, you might say, this is propaganda.

So why are they smiling? For the camera, probably; simple people titillated by its presence. And when you catch a glimpse of Greene himself in the film, you know it's that and more. Sunburned to a lobster color, British, benign, bowing his head as tall men do to compensate for their greater height, and probably feeling gross and clumsy, how could his subjects not smile at him, jolly pink giant with a camera?

Only Ho Chi Minh, during his brief walk-on, seems unselfconscious in the presence of Greene's camera; he barely manages a smile during his appearance at a cliché local meeting; no mistaking him for the object of a cult of personality.

But explain it how you will, this smiling betrays expectation; you sense a fateful lack of verisimilitude. Whether dove or hawk, we want a Guernica, a people in agony, fists clenched, railing at the noisy heavens. Not blithely going about their business. As if swinging a jump rope, pairs of peasant girls rhythmically sweep scoops of water from one irrigation ditch to another at an impressive rate after the destruction of the pumping station. (The war, it seems, has liberated the women of Tonkin, freed them from the service of one man for that of the state, freed them for more work; they are asked to postpone marrying, and childbearing, for the duration.)

"The people of the US," says Tran Van Dong, in one of the interviews cut out of the film, "should realize that we will fight for 15 to 20 years to retain our independence," smiling all the while, ignoring the question of the unification of the country, and talking, as has become the custom lately, over the heads of state to "the people." In another interview, a downed pilot says he hopes the "protest movement" in the US will bring about an end to the bombing, at the polls; the pilot was convalescent at the time.

The green, water-course landscape of Tonkin looks as if it could absorb many times more bombs than it had when this film was made before it will show much trace of our passage overhead. In a rice paddy the peasants set out bits of white rag to mark where they saw CBUs fall; that paddy still had a crop for anyone left to harvest it. Except for the smiles, there is nothing surprising in the documentary. Harrison Salisbury, to the embarrassment of our flyers, had written of the hotel waitress firing away with a rifle at attacking planes; in Greene's film we see a row of farmers doing the same thing, a turkey shoot in which no fowl are bagged.

What may disturb congressmen is that in large part Greene's film leaves the spectator free to wander in the ambiguity of the pictures. The Youth Brigade repairing a railroad can mean anything you want it to mean: regimentation to absurd degree; brainwashing; revolutionary élan; the spirit of the London blitz; the levee en masse; the nation in arms. The only certain conclusion from this sequence is that it must be difficult for our warriors to successfully interdict railroading up North, or from another sequence, trucking, when a convoy rolls over a patched up bridge still standing after 100 raids.

Greene is spare with language; the pictures alone satisfy some of the hunger for concrete reality, after the endless volleys of abstraction, political and journalistic. Now and then he throws in a statistic from Hanoi sources: Nam Dinh bombed 59 times; the Ham Hong bridge, 100 times; enrollment in the Youth Brigade, 100,000; average number of air raids a month, 13,000; higher education available to all.

Perhaps we would all feel more comfortable with a blatant piece of conventional propaganda, unequivocal as a Pudovkin, where we know the rules and points of the game, and where we can relish caricature without ever taking it seriously as history. Greene's film should not be taken seriously as history, but it can be taken seriously as reportage. Like the documentary makers of the thirties and the forties, or Edward R. Murrow of the Blitz, Greene doesn't try to mask his sympathy. The congressmen called him a communist propagandist on no evidence other than Hanoi's description of his film. But Greene is more in the Gladstonian line; you can imagine a ruby-cheeked antecedent, content in a world of semi-detached villas, alarmed at the Ottoman massacre of the Armenians, or the depredations of Leopold in the Congo.

In the interviews, made, I think, pro forma, Greene acts more like a major domo than anything else, eager to please and anxious to get his film out without censoring or censure, so he could show the West in language the West could accept how well the Tonkinese are bearing up under the brutal battering, and how widespread and indiscriminate the bombing is. He did not intend, perhaps, to reveal also, as he has, how ineffectual the bombing is.

Ed Dowling

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Chaos on the Campus

Sirs:

To correct several errors in the January 6 article, "Chaos on the Campus": (1) Your "special correspondent" reports that militants . . . sought (and still seek) to turn what had been an open, liberal campus with great promise, into a state prison camp, by courting confrontation with Reagan and Rafferty. You completely miss the point. The militants have *not* been attacking the government and state superintendent of instruction, but rather San Francisco State College President Summerskill and other faculty

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leaders of the liberal, progressive and radical camps. (2) The Trustees did not put Summerskill "on 60 days' notice," but rather investigated his stewardship and now have him off the hook. (3) The figures on the number of students and Negroes on campus are way off (you report 1,000 out of 20,000 students). We estimate about 400 Negroes presently enrolled – a percentage drop from 1960 of 11 percent to less than 3 percent today (18,100 students). (4) You report that Summerskill refrained from calling local police onto the campus. Actually he was working with police in his office all day. (5) You mention "lifting suspensions" without prior reference. The only suspensions Summerskill lifted were those against an editor and writer after the ACLU threatened litigation. (6) The Trustees did not react to the disorder as you report, but only took initial actions which now must go through public hearings. (7) SFSC is not older than other state colleges. San Jose State was founded 42 years earlier and even Chico State and San Diego State are older institutions. (8) The militants have *not* "probably ruined" one of the best state colleges in the nation. Reports of our death have been greatly exaggerated.

Dr. Jerrold L. Werthimer
Associate Professor of Journalism
San Francisco State College

In reply . . .

Contrary to Dr. Werthimer, the militants of MAPS (Movement Against Political Superiors) and BSU (Black Students Union) made it quite explicit in their speeches, before, during and after, the trouble of December 6, that they had nothing personal against Dr. Summerskill. They hoped to use the protest against the suspensions, as a club against "the power structure," of which they feel that Dr. Summerskill is at best a compliant tool.

Since my article appeared, the Trustees' committee has exonerated Dr. Summerskill (after an official laying-on of hands by Governor Reagan). At the time the committee was appointed, it was the consensus of the Bay Area press, and of those at SFSC, that the college would be looking for a new president in January.

I don't know where Dr. Werthimer gets his figure on the number of Negro students, since California law prohibits asking race on application or registration forms. I obtained my figures from Student Body President Phil Garlington, in September, 1967, after a summer-long program to recruit minority group students (administered by the BSU). But the precise number does not invalidate my comments on the BSU's bringing off-campus Black Nationalists to supplement their numbers on Dec. 6.

Having stated already, that Dr. Summerskill acted "on advice of the S.F. Police Dept.," I did not think it necessary to state several police officials were in his office during the disturbance. What I meant by "refrained from calling local police on campus," was the SFPD Red Squad, which recently got its kicks bashing demonstrators at a Dean Rusk speech.

I can only ask Dr. Werthimer to read the second line of the fifth paragraph of my article, in which I state: "The black students are still on suspension."

The Trustees' meeting of December 9 was televised in its entirety, at least in the Bay Area, and both Gov. Reagan and Dr. Rafferty played outrageously to the "unseen audience." Both men clearly see the way the militants do – a confrontation of New Left and Old Right, with Dr. Summerskill caught in the middle. Both Dr. Rafferty and Assembly Speaker Jesse M. Unruh were most critical of Dr. Summerskill, before the hearing and during it. The performance deserved the "star chamber" designation given in the article.

Alright, SFSC is *not* the oldest California State College. Had I put the qualifying phrase "one of" before the statement, I would have been saved error. My statement about the college's reverence for its autonomy is still in accord with fact, however.

Thomas J. Cummins

NOTES ON CONTRIBUTORS

John Updike's *latest book is* The Music School and Other Stories. Thomas Rogers' *novel,* The Pursuit of Happiness *will be published in April by New American Library.* Ed Dowling *has written extensively on television and pop culture.*

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Kauffmann, *from page 26*

One of the sad aspects of Mailer's power-play in our culture (described as such by Norman Podhoretz) is that it has brought him sycophants who would presumably print his laundry lists. One of the sad aspects of the generally happy rise of the film is that it gives facility (in two senses) to this kind of self-abuse of the ego, gives it a spurious importance by making it physically permanent. This is no agonized soul, taking refuge in outlaw fantasy or juvenile dreams as a fortress against existential torment. This is a pampered, possibly drunken little king, taking his bitter little pleasure in making his courtiers hop. The courtiers here are the other players, the cameraman, the sound man, everyone connected with the enterprise who toadies to him. They all seem to me, in this regard, despicable. But Mailer . . . there is pure pathos. In one scene he gets down on his hands and knees and outbarks the German shepherd. That Mailer did it in front of a camera, that he wanted to preserve it, that he wanted to show it in public – well, to some, it may be an act of uttermost liberation. To me, it is an occasion for mourning.

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Printed by National Publishing Division
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